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JOHNS HOPKINS UNIVERSITY STUDIES
IN
HISTORICAL AND POLITICAL SCIENCE
Under the Direction of the
Departments of History, Political Economy, and
Political Science

ADMISSION TO AMERICAN TRADE UNIONS

BY

F. E. WOLFE, PH.D.
Assistant Professor of Political Economy in Colby College

BALTIMORE
THE JOHNS HOPKINS PRESS
1912

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PREFACE

This monograph is one of a series of investigations into the activities of American trade unions undertaken by the Economic Seminary of the Johns Hopkins University. The chief documentary sources for the study have been the large collection of trade-union documents at the Johns Hopkins University. Materials at the national headquarters of the more important unions have also been consulted. Such study has been supplemented by personal observation and interviews with labor leaders in the principal industrial centers in the United States.

The author wishes to acknowledge the assistance received at every stage of the work from Professor J. H. Hollander and Professor G. E. Barnett.

ADMISSION TO AMERICAN TRADE UNIONS

INTRODUCTION

A trade union is legally empowered by reason of its voluntary character to determine the composition of its own membership.[1] Since the ease and effectiveness of collective bargaining increase with the proportion of workmen included in the combination, every trade union is inclined to admit all the workmen in the trade. On the other hand, for the accomplishment of trade-union aims, the maintenance of standards of workmanship, and the enforcement of discipline, it is highly important that conditions should be imposed upon membership. These conditions often exclude workmen who have not served an apprenticeship, incompetent workmen, and other classes of persons who are regarded as ineligible, as well as recalcitrants and suspended and expelled members. Moreover, admission to a union may be restricted for the purpose of excluding additional workmen from the trade and thus decreasing competition for employment. In order to understand the extent of such exclusion it is necessary to examine in detail the policy of American trade unions with reference to the acquisition and retention of members.

An attempt is accordingly made in the present study to interpret the meaning of the requirements for membership as actually enforced. It is proposed, first, to trace the

[1] In rendering the majority opinion in the case of National Protective Association v. Cumming (170 N. Y. 315), Chief Justice Parker of the court of appeals asserted that the competency of labor unions to restrict membership to those who have stood a prescribed test, in order to secure careful as well as skillful associates in their work, "is a matter of no small importance in view of the state of the law which absolves the master from liability for injuries sustained by a workman through the carelessness of a co-employee."

development of the central control of admission regulations, as having an important influence on their purpose and effect. The apprenticeship qualification which has persisted in trade-union policy from early times will next be examined in order to indicate its significance as a means of qualifying workmen. It will then be necessary to make clear the force of the requirement of competency, the most widespread requisite for membership. The admission of women, of aliens, and of negroes will thereafter be considered in order. Finally, the conditions necessitating the severance of membership by withdrawal, suspension, or expulsion, in accordance with union rules, are to be noted, together with the requirements for reinstatement or readmission. It will then be possible in conclusion to summarize the policy and tendency of trade-union action in this field.

CHAPTER I

THE CONTROL OF MEMBERSHIP

The history of the regulations of American trade unions with reference to securing and retaining members may be roughly divided into three periods. In the first, extending from the beginning of the century to about 1850, the predominant type of labor association was local in authority and aim. Membership usually conferred beneficiary rights as well as such trade advantages as might be obtainable through local action. Local unions, however, began at an early date to cooperate with a view to extending over a wider area the advantages of membership. Prior to 1825 the Printers and the Cordwainers had concluded agreements to exclude offending journeymen of any one society from all the others, and to admit on favorable terms to any one society persons who presented certificates of membership from any other.[1] The Baltimore Typographical Society provided in its constitution of 1832 that "any person presenting a certificate of membership from another typographical society shall be entitled to a seat as a member and enjoy all the benefits of this society, if the society from which he comes reciprocates the same privilege."[2] Similarly, in 1846 the New York handloom carpet weavers made provision for transmitting to all other factories the names of any member violating the rules, and for issuing to any operative leaving one shop a certificate of membership, which must be pre-

[1] Barnett, "The Printers: A Study in American Trade Unionism," in American Economic Association Quarterly, October, 1909, pp. 18–25; Trial of the Journeymen Cordwainers of the City of New York. Reprinted in Documentary History of American Industrial Society, Vol. III, edited by Commons and Gilmore, pp. 366, 367; National Trades Union, April 25, 1835, p. 2, col. 4. Reprinted in Documentary History of American Industrial Society, Vol. VI, edited by Commons and Sumner, p. 314.

[2] Art. XVIII; Commons and Gilmore, Vol. III, p. 366.

sented to secure favorable admission into any other shop.[1] Since each local union possessed discretionary power to accept or to reject workmen from other unions, this form of cooperation was uncertain. It marked, however, the beginning, by local unions within a trade, of common regulation for determining and extending their membership.

Another form of cooperation, which appeared with the movement toward general union from 1830 on, was the recommendation by a central convention of trades of the organization of certain classes of workers. For example, the National Trades' Union, although in 1835 it directed the workingmen of its constituent societies "to oppose by all honest means the multiplying of all descriptions of labor for females,"[2] and in the following year again deplored the evil of competition with women, advised the trades affected by the work of women to admit them to membership or to organize them into auxiliary societies.[3] Furthermore, the National Trades' Union at this time sanctioned the formation of societies composed of workmen from more than one trade, or the admission into any trade society of workmen from different trades.[4] The Boston cordwainers' society in 1840 thus extended the privileges of membership to outside workmen of unorganized trades. This liberal policy was seldom adopted as a means of securing members, inasmuch as it involved a disregard of trade lines. The local character of unionism rendered as yet impossible the formulation, and much less the enforcement, of a concerted plan with reference to the composition of union membership.

The second period, from 1850 to 1880, was marked by the national extension of organization. In many trades the

[1] Weekly Tribune, September 12, 1846. Reprinted in Documentary History of American Industrial Society, Vol. VIII, edited by Commons, p. 242.

[2] Proceedings of National Trades' Union, in National Trades' Union, October 10, 1835, pp. 2, 3. Reprinted in Commons and Sumner, Vol. VI, pp. 250, 251.

[3] Proceedings of National Trades' Union, in National Laborer, November 12, 1836, pp. 133, 134. Reprinted in Commons and Sumner, Vol. VI, pp. 279, 288.

[4] Commons and Sumner, Vol. VI, p. 280.

local unions combined into national organizations. Admission into a local union conferred thenceforth a dual status. The connection of a member with the national organization enhanced the privileges of membership in two important respects: (1) Through the mechanism of the "card system" a local union under the national pact was bound to admit worthy members and to exclude offending workmen of other unions. Each member in good standing by obtaining a "card" thus secured a right to admission into any other local union. The advantage of excluding the expelled and anti-union workmen of one local union by others was also obtained through this national cooperation. (2) In case disputes or difficulties arose between a local union and its members the national union had power to determine the point at issue. The National Typographical Union,[1] the Iron Molders,[2] the Iron and Steel Workers,[3] the Cigar Makers,[4] and the Bricklayers and Masons[5] soon after organization undertook to decide such appeals. In many cases an appeal was taken against violations of the interunion membership system. If one local union, for example, refused to admit a workman who presented a card from another union, the national union was called upon to adjust the dispute. A member of any local union who complained to the national union against an unjust expulsion was also able to appeal and obtain a rehearing of his case. In this way every member came gradually to be recognized as having a right to appeal against any violation of his rights by the local union.

For many years after the beginning of national organization, however, the local unions were absolutely free to regulate admission and to control the bringing of additional workmen into membership within their respective jurisdictions. Later in this period the activities of the national

[1] Barnett, p. 33.
[2] Iron Molders' Journal, September, 1876, p. 87; Constitution, 1876, Art. IX, Sec. 5.
[3] Proceedings of Grand Forge of United Sons of Vulcan, 1870, pp. 13, 14; Proceedings, Iron and Steel Workers, 1881, p. 691.
[4] Cigar Makers' Official Journal, November 10, 1879, p. 1.
[5] Proceedings, 1884, p. 7.

unions in the admission of members developed along two important lines: (1) in the actual organization of workmen, (2) in determining what class or classes of persons at work within a trade should be eligible to membership.

The enforcement of the card system and the decision of appeals from members tended to place the national unions in control of the admission of expelled, suspended, and anti-union workmen. Thus the original rule requiring each local union to exclude workmen of the other unions expelled and in bad standing was soon modified by a national rule that such workmen might be admitted into any union with the consent of the local union from whose jurisdiction they came.[1] In time of strike or on other occasions it frequently occurred that local unions did not wait to procure the required consent of another union, located perhaps in a distant community, before admitting applicants. The rule could be enforced by the national union only after considerable friction had developed among local unions in consequence of its violation. Moreover, in time of business depression or seasonal slackness in employment the class of workmen in bad standing frequently increased to such an extent as to weaken or menace the existence of many local unions. At a very early date in this period the desirability of obviating these difficulties, and the importance of maintaining as large a membership as possible, led to the granting of an "amnesty" to past offenders against the union. Under an "amnesty" workmen may be admitted into any local union without regard to their past record. On certain occasions the national unions extended "general amnesties," and directed the local unions to admit on favorable terms former members and non-unionists.[2] Thus in 1867 the Cigar Makers' International Union recommended to the local unions the propriety of pardoning former offenders.[3] Likewise, in the same year, and again in 1876, in a campaign to increase membership, the Iron Molders resorted to a gen-

[1] See below, p. 157.
[2] See below, p. 159.
[3] Proceedings, 1867, p. 137.

eral pardon of all expelled and suspended members who might apply within a stated time.[1]

Closely connected with the granting of amnesties for the purpose of recruiting membership came the assumption by certain national unions of the administrative function of forming local unions. Thus in 1863 the president of the Iron Molders' Union traversed the country for the purpose of "organizing and building up the organization."[2] Again in 1878 the national president was empowered by the constitution to "make terms with" and admit offending workmen in order to organize and strengthen local unions.[3] At the session of the Bricklayers' National Union in 1871 the appointment of an "organizer" was recommended for work in Massachusetts.[4] In 1878 the Iron and Steel Workers imposed the duties of "organizer" upon the president, who was directed in that capacity to "use all his efforts to bring within this association all iron and steel workers in the United States."[5] In 1874 the Cigar Makers provided for the permanent appointment of an organizing officer of the national union.[6] From this time on the work of national organization was regularly prosecuted.

As has been pointed out above, the early local trade unions had exclusive control of the organization and admission of workmen. The membership of these early societies for the most part included journeymen mechanics who had learned a trade through apprenticeship. Moreover, even after entering into a national organization each local union controlled the regular admission of persons at work within its own jurisdiction, and usually admitted only journeymen mechanics of the trade. In determining the class of workmen eligible for membership, and in directing what persons within the class might be admitted, the national unions

[1] Proceedings, 1867, pp. 21, 51; Iron Molders' Journal, August 10, 1876, p. 3.
[2] "Sketches of the Early History of the Iron Molders' Union," in Iron Molders' Journal, May 31, 1874, p. 354.
[3] Constitution, 1878, Art. IV, Sec. 1.
[4] Proceedings, 1871, p. 11.
[5] Proceedings, 1878, pp. 144–145.
[6] Proceedings, 1879, p. 3.

for a considerable period were merely loose combinations for formulating and enforcing the practically unanimous judgment of the local unions. Thus the Printers,[1] the Cigar Makers,[2] the Bricklayers and Masons,[3] the Molders,[4] the Iron and Steel Workers,[5] and the Knights of St. Crispin[6] set forth in national regulations and decisions that only the journeymen mechanics or "practical workmen" of the respective trades were within the jurisdiction of the union for the purpose of organization and admission to membership.

New classes of workers were being introduced into many of the trades through gradual changes in the organization of industry consequent upon the increasing use of machinery and upon the availability of a supply of women workers, immigrants, and negroes. These workers were usually engaged at tasks which did not necessitate the serving of an apprenticeship to acquire proficiency, and which, on the other hand, did not bring them within the class of "practical workmen," who alone were eligible for union membership. Diversity of opinion among unions situated in different localities as to what new grades of workers might be admitted to membership occasioned friction and involved the interference of the national unions. At first, only recommendations were made that certain additional classes should be admitted. Later, the national authorities determined and from time to time extended the classes of persons at work within a trade who were entitled to become members of the local trade unions. This development of control is illustrated in certain trades by the adoption of provisions extending the range of eligibility to include specialized workmen, women, and negroes.

[1] Barnett, pp. 303, 323.

[2] Proceedings, 1867, p. 156; Cigar Makers' Official Journal, March, 1878, p. 1.

[3] MS. Proceedings, 1867, pp. 52–53; Proceedings, 1868, p. 24; Proceedings, 1869, p. 19.

[4] The International Journal, February, 1873, p. 10; May, 1874, p. 354.

[5] Proceedings, Grand Forge of United Sons of Vulcan, 1875, p. 18.

[6] Lescohier, "The Knights of St. Crispin," in Bulletin of University of Wisconsin, Economics and Political Science Series, July, 1910, p. 25 et seq.

In the late sixties the introduction of machine molds in the manufacture of cigars led to a subdivision of the trade by differentiating "filler-breaking." This work could be quickly learned and did not require a term of service to acquire competency. The question arose in different local unions as to whether "filler-breakers" should be admitted to membership. The national union held that their admission was advisable, although certain local unions seceded in opposition to this policy. After 1875 the union enforced the rule that an applicant should not be rejected on account of the system of work at which he was engaged.[1]

Similarly, in 1877 the president of the Iron and Steel Workers' Amalgamated Association reported that "nobblers, roll turners, boiler plate and iron shearers, and furnace builders" had been unable to gain admission into certain subordinate unions because they were ineligible according to the national constitution. A change was recommended, and these special classes of workmen, with the exception of furnace builders, were accordingly declared eligible.[2] Thereafter the association gradually extended its jurisdiction to embrace "all men working in and around rolling mills, steel works, nail, tack, and spike factories, pipe mills and all works run in connection with the same." Laborers might be admitted at the discretion of the subordinate lodge.[3]

With the greater specialization of industrial processes came increasing employment of women. In printing and in cigar making, women workers first encountered active trade organizations. The subdivision of labor within the trade of cigar making had made it particularly profitable to employ females. The Cigar Makers' International Union, organized in 1864, debarred women from membership by a specific provision of its constitution, and thus supported the opposition of the local unions to their employment.[4] Owing

[1] Cigar Makers' Official Journal, March, 1878, p. 1; June, 1878, p. 1; August, 1879, p. 1; November, 1879, p. 1.
[2] Proceedings, 1877, pp. 50, 74–77.
[3] Proceedings, 1887, p. 1953; Proceedings, 1888, p. 2352; Proceedings, 1889, pp. 2686, 2687, 2791.
[4] MS. Proceedings, 1865, p. 60.

to the increasing employment of women, however, the union in 1875 removed the sex disqualification despite strong opposition from certain local unions.[1] Since that time the position has been maintained that female applicants are eligible for membership on the same terms as men.[2]

The local typographical unions at an early date opposed the entrance of women into the trade, and even after the formation of the national union continued to deny them membership.[3] In the sixties the national union directed renewed attention to the question of female printers, and in 1869 a separate women's union was affiliated.[4] In 1871 the national union again urged the local unions to organize and admit women printers.[5] Opposition to women was being overcome, and in some localities they were admitted. But the local union in each case might still exercise its own discretion in considering women applicants, until in 1884 the national union in convention sustained a decision of the president that a subordinate union could not refuse admission on account of sex.[6]

The supply of free negro labor in most of the organized trades after the war was a negligible quantity on account of the fact that such labor was for the most part unskilled. But owing to social antipathy the problem of organizing negroes was especially difficult in the trades which they entered. In the Cigar Makers in 1865 this opposition forced into the national constitution a rule expressly excluding negroes.[7] In 1879 the national union prohibited the local unions from rejecting an applicant on account of color.[8] Similarly the Iron and Steel Workers at first refused to permit the admission of negroes, but in 1881 provided for their inclusion within the class of eligible persons, "past

[1] Cigar Makers' Official Journal, November, 1877, p. 2; June, 1878, p. 1.
[2] Ibid., October, 1886, p. 1.
[3] Barnett, pp. 311, 312.
[4] Proceedings, 1869, pp. 23, 39, 41.
[5] Proceedings, 1871, pp. 33, 61.
[6] Proceedings, 1884, pp. 20, 104.
[7] MS. Proceedings, 1865, p. 60.
[8] Proceedings, 1879, p. 2.

experience having taught the craft that they were indispensable."[1]

The negro question also presented itself to the Bricklayers and Masons. Since the local unions regulated admission the national union ordinarily became involved in the problem only when the travelling card of a negro member had been rejected by a local union or when an application was made to charter a separate colored local union. For a long period the union openly permitted the violation of the card system in respect to negro members.[2] Furthermore, a national rule prevented the issuance of a charter to a new union in any locality without the consent of the existing local union, if there was one. In the case of proposed negro unions this consent was often withheld, and the national union was thus unable to affiliate colored unions. In 1870 a proposal granting power to issue separate charters failed of adoption.[3] Again in 1877 a plan for organizing negroes was rejected.[4] Finally in 1881 the national union definitely determined that the travelling card of a colored bricklayer in good standing should be recognized.[5] Shortly thereafter the national executive board was also empowered to charter separate colored unions.[6] Since that time the national union has insisted upon the admission of negroes and has discountenanced any discrimination against them.

The control of membership as thus undertaken by the national unions prior to 1880 consisted of three parts: the control of the readmission of expelled members and of the admission of members of one local union into another; the organization and reorganization of local unions by the national union, and the extension by certain national unions of their membership jurisdiction over new classes and

[1] Proceedings, 1876, p. 82; Proceedings, 1881, p. 708.
[2] Proceedings, 1881, p. 7.
[3] Proceedings, 1870, p. 37.
[4] Proceedings, 1876, pp. 9, 25; Proceedings, 1877, pp. 6, 17, 18.
[5] Proceedings, 1881, p. 26.
[6] Proceedings, 1883, pp. 14, 21, 22, 62, 63; Proceedings, 1884, pp. 16, 17, 21, 22, 66, 67.

grades of workmen. Control of the admission of ordinary applicants, and thus of the chief avenue of union increase, remained in the possession of the local union.

Since the era of active labor organization in the eighties, a tendency to augment the participation of the national unions in the admission of members is discernible. Assuming that this tendency results from the deliberate policy of union leaders to increase membership, its development may be traced under three heads: (1) the admission of workmen employed in places where unions do not exist or cannot be formed; (2) the supervision of the local admission of candidates; (3) the interpretation by the national unions of the requirements for admission.

(1) In certain national unions plans were early proposed for attaching individual workmen, in unorganized towns, either as members of a neighboring local union or directly as members of the national union. For example, in 1864 the Printers devised a scheme for affiliating craftsmen in isolated localities as "conditional members" of the nearest local union,[1] but the plan was soon abandoned. For a short time in 1867 the Cigar Makers provided for a similar affiliation of members.[2] In more recent times certain methods of unionizing detached workmen have been generally adopted. The endeavor has been to extend the outposts of unionism, as well as to retain those members in good standing of disbanded local unions, and to acquire control of workmen immediately beyond the jurisdiction of a local union who would be of service in counteracting the efforts of employers to secure non-unionists. Accordingly, workmen are admitted either as "jurisdiction members" attached to a local union, or as "members at large" connected only with the national union. After 1882 the International Typographical Union maintained the practice of attaching printers in unorganized towns to the nearest local unions.[3] In 1883 the Bricklayers and Masons empowered

[1] Proceedings, 1864, pp. 81–84; Proceedings, 1867, p. 9.
[2] MS. Proceedings, 1867, p. 157.
[3] Barnett, p. 265.

the national officers to organize workmen in localities where the number was insufficient to form a union.[1] The United Brotherhood of Carpenters sought to retain the members of lapsed or suspended unions by permitting them to become "jurisdiction members" of a nearby local union.[2] The Journeymen Bakers,[3] the Barbers,[4] the Molders,[5] and the Cigar Makers[6] have also authorized the acceptance of members outside the jurisdiction of a local union.

Provision for admitting members at large represents the second method of increasing membership. In 1890 the Iron Molders extended to workmen in towns where there was no local union the right to join the national union without local connection.[7] In 1893 the Printers, with a view to increasing the number of "provisional" or jurisdiction members, changed the method of admission so that workmen in unorganized towns should no longer be required to join a local union and to pay local dues, but might be admitted and might become directly responsible to the national union.[8] The advantages to workmen of escaping payment of local dues and of securing a right to national friendly benefits have made direct admission preferable to local affiliation. Since 1895 the following unions have made provision for admitting members-at-large: Meat Cutters and Butcher Workmen (1897), Plumbers (1897), Boot and Shoe Workers (1899), Tobacco Workers (1900), Metal Polishers and Buffers (1901), Railway Clerks (1903), Retail Clerks (1903), Commercial Telegraphers (1904), Photo-Engravers (1904), Musicians (1904), Shipwrights (1905), Bridge and Structural Iron Workers (1906), Hod Carriers (1907),

[1] Proceedings, 1883, pp. 43, 55, 59.
[2] Constitution, 1888, Art. XXX, Sec. 1.
[3] Constitution, 1886, Art. XIII, Sec. 6.
[4] Constitution, 1894, Art. X, Sec. 14.
[5] Constitution, 1876, Standing Resolution, p. 40; Constitution, 1895, Art. VIII, Sec. 4.
[6] Constitution, 1881, Art. XXI, Sec. 1; Constitution, 1896 (21st ed.), Sec. 205.
[7] Proceedings, 1890, p. 83.
[8] Proceedings, 1893, pp. 11, 100.

National Federation of Post Office Clerks (1908).[1] The method of admitting detached workmen as members-at-large represents a development over that of affiliating them with a local union, in that it makes possible the direct national control of admission and the more effective increase of membership.

In addition to its primary purpose this method may incidentally serve other ends. For example, the Boot and Shoe Workers and the Painters, Decorators and Paperhangers admit persons to membership-at-large as a means of preventing local unions from unjustly rejecting applicants. The Boot and Shoe Workers specify that any applicant who has been rejected by a local union for insufficient cause may by appeal be accepted as a member-at-large.[2] In one instance the Painters retained as members-at-large certain negroes whose travelling cards were rejected by a local union. The Railway Clerks and Commercial Telegraphers have probably the largest number of members directly associated with the national union;[3] this is due in part to the fact that many applicants desire to conceal from employers the fact of any connection with the union.

(2) Only a very small portion of the membership of most unions is composed of the two special classes of "jurisdiction" and "general" members. In recent years many national unions have, however, witnessed a closer national supervision and control of the local unions in the admission of members. This development may be seen not only in the greater national control of the mechanism of admission, but also in the increasing exercise by the national union of the power to subject the acts of local unions to judicial review.

The admission of an eligible candidate into an independ-

[1] The Musicians designate this form of membership as "conditional membership," the Photo-Engravers, "provisional membership," and the Painters, "general membership."

[2] Constitution, 1899, Sec. 46; Constitution, 1909, Sec. 40.

[3] Estimates by the secretaries placed the number of such members in 1910 in the Brotherhood of Railway Clerks at 300, and in the Commercial Telegraphers at 1250.

ent local union in early times was a simple procedure, since such action concerned only a single organization. When the same union united with a large number of others into a national organization, complications arose which necessitated some uniformity in admitting applicants. Accordingly certain regulations, intended in part to attain this uniformity, have been adopted by the national unions: (*a*) investigation of the record, age, physical fitness, and trade competency of applicants; (*b*) payment of an initiation fee, and (*c*) a vote or ballot by members of the local union.

(*a*) One of the chief purposes in the formation of national organizations was to facilitate control over the admission or readmission of suspended, expelled, and offending journeymen, through the card system. Local unions frequently would not delay long enough to find out whether each applicant for admission had been expelled or rejected by another union. Similarly, convenient communication frequently could not be had with the other unions concerning new applicants coming from distant places. After the national unions became important, the national membership list and the trade journal afforded means for disclosing the names of former members. In order to aid further in the enforcement of the card system, many unions have required that the names of all applicants be submitted to the national unions for investigation or for publication in the journal.[1] Membership files containing the names and membership lists of each local union enable the national officers to keep track of former members, "scabs," and anti-unionists. Some unions, such as the Bricklayers and Masons[2] and the Boot and Shoe Workers,[3] record also the

[1] See, for example, Proceedings, Cigar Makers, 1880, pp. 7, 9; Constitution, Window Glass Workers, Local Assembly 300, 1895, Art. I, Sec. 37; Constitution, Bakers' and Confectionery Workers' International Union, 1897, Art. XIX; General Laws, Typographical Union, 1902, Sec. 1. A typical provision is that of the Elevator Constructors' International Union: "No local union shall admit an applicant for membership without first submitting his application to the international secretary for investigation" (Constitution, 1907, Art. VIII, Sec. 6).

[2] Constitution, 1908, Art. XVII, Sec. 6.

[3] Constitution, 1909, Sec. 37.

names of applicants rejected in the local unions. The Machine Printers' Beneficial Association,[1] the Wood Carvers,[2] the Marble Workers,[3] and the Steel Plate Transferrers[4] require that names of applicants in each local union be submitted for approval to the other local unions, branches, or districts. Thus the system of national investigation of applicants, designed primarily to enforce the national exclusion of offending workmen, increases the authority of the national union by requiring each local union to exclude or to admit members with reference to their previous standing in other unions within the trade.

The development of national beneficial features has resulted in the establishment of the requirement in certain unions that only physically qualified workmen may be admitted. An age limit is fixed and a physical examination is prescribed for all candidates. This necessitates, as a part of the formalities of admission, an investigation by the local union. Applicants who are found to be disqualified may in some unions—such as the Cigar Makers' International Union,[5] the Amalgamated Society of Carpenters,[6] the Spinners,[7] the Pattern Makers' League,[8] the Switchmen,[9] and the railroad brotherhoods[10]—be admitted as non-beneficial members.

The most important preliminary to admission is an investigation by the local union of the fitness of the candidate as a workman. Ordinarily the necessary qualifications include a term of training in the trade and competency to perform the work. In many national unions these requirements are explicitly defined and their observance is en-

[1] Constitution, 1903, Art. V, Sec. 6.
[2] Constitution, 1903, Art. VII, Sec. 6.
[3] Proceedings, 1907, p. 28; Proceedings, 1906, p. 31.
[4] Constitution, 1906, Art. XX, Sec. 3.
[5] Constitution, Cigar Makers, 1896 (21st ed.), Sec. 67.
[6] Rules, 1887, Rule 6, Sec. 2; Rules, 1905, Rule 56, Sec. 1.
[7] Constitution, 1907, Art. XV.
[8] Constitution, 1900, Laws 98, 99.
[9] Subordinate Lodge Constitution, 1901, Art. IV, Sec. 2.
[10] Kennedy, "Beneficiary Features of American Trade Unions," in Johns Hopkins University Studies, Series XXVI, Nos. 11–12, p. 45.

forced upon the local unions. The meaning and enforcement of these qualifications of membership will be treated in detail in subsequent chapters entitled respectively "Admission by Apprenticeship" and "Admission by Competency."

(*b*) An incidental requisite for admission into any union is the payment of an initiation fee. Usually the amount is small, and represents only a nominal charge for the privileges of membership. But the power to fix a charge may be abused and become prohibitory to prospective members. Strong local unions have at times sought to exclude workmen by charging a high admission fee in order to monopolize employment for their members.[1] A few national unions have also used high fees apparently for exclusive purposes. Thus the national board of directors of the United Hatters have fixed the fees from individual applicants at sums varying from $25 to $100.[2] In 1908 the Print Cutters agreed to admit two men into the association upon payment by each of an initiation fee of $200.[3] The determination of the initiation fees may have, therefore, an important influence on admission policy. The majority of national unions have not required the payment of high fees, but many of them have regulated the amount of such fees which may be charged by the local unions.

The determination of fees varies in different unions; some, as for example the Printers, leave the matter to local control.[4] A second large class, represented by the Carpenters' United Brotherhood,[5] the Painters, Decorators and

[1] Thus Local Union No. 166 of Providence, R. I., in 1908 requested the International Union of United Brewery Workmen to grant "the privilege of raising the initiation fee, as the officers are continually annoyed by prospective candidates" (Proceedings, 1908, p. 153). In 1900 the Newark Association of the United Hatters of North America placed a fine of $250 on a man "to keep him out of the Association" (Proceedings, 1900, p. 102). See also The Electrical Worker, May, 1903, pp. 70–71; Pattern Makers' Journal, December, 1907, p. 17.

[2] Proceedings of Board of Directors' Meeting, Semi-Annual Report of Secretary and Treasurer, June 30, 1907, p. 23.

[3] Proceedings, 1908, p. 6.

[4] Barnett, p. 325.

[5] Constitution, 1881, Art. VIII, Sec. 6; Constitution, 1899, Sec. 55.

Paperhangers,[1] the Pattern Makers,[2] the Elevator Constructors,[3] and the Plumbers,[4] fix only a minimum, thus interfering least with local autonomy. In either of these classes the local unions may raise the charge at their discretion. Thus, while the minimum for initiation into the United Brotherhood of Carpenters is $5, the fee for new members in the Baltimore district is $25. The Elevator Constructors require a minimum of $25, and the Chicago and St. Louis local unions have imposed fees of $50.[5] The Musicians have a $5 minimum, but local unions on occasion increase the charge to $75 and $100. In a few instances local unions of the Bakery and Confectionery Workers impose charges of $200 and $250. In case no restriction is placed on the amount of the initiation fee and no appeal may be taken to the national union,[6] a local union may thus hedge itself in against outsiders.

Another group of unions, including the Cigar Makers,[7] the Iron Molders,[8] the Granite Cutters,[9] the Stone Cutters,[10] and the Bookbinders,[11] have prescribed a uniform fee for all localities. This method secures uniformity, and restrains the use of increased fees by a local union, unless the consent of the national authority is procured.[12] Some unions,

[1] Constitution, 1901, Art. VI, Sec. 1.
[2] Constitution, 1909, Rule 31, Cl. 1.
[3] Constitution, 1902, Art. VII, Sec. 3.
[4] Constitution, 1899, Art. XI, Sec. 2; Constitution, 1906, Sec. 71.
[5] In 1903 transfer members going to St. Louis with cards were required to pay $65. A member of that union pronounced it "robbery to take a new applicant in for $50 and soak a card man $65." The fee was probably increased to ward off an influx of workers to St. Louis on account of the Exposition (The Electrical Worker, May, 1905, pp. 70–71).
[6] See below, p. 31.
[7] Constitution, 1879, Art. XVII, Sec. 1.
[8] Constitution, 1895, Sec. 64. In 1893 a proposed amendment to the constitution of the Iron Molders' International Union providing for a minimum initiation fee instead of a uniform fee and thus permitting the local unions to raise the fee at will was defeated by a vote of 3943 to 927 (Iron Molders' Journal, May, 1893, p. 2; January, 1894, p. 6).
[9] Constitution, 1905, Sec. 64.
[10] Constitution, 1909, Art. V, Sec. 1.
[11] Constitution, 1894, Sec. 6.
[12] The United Brewery Workmen, for example, provide that no more than $10 may be charged a candidate, without first obtaining the consent of the executive board.

such as the Bricklayers and Masons,[1] the Bakery and Confectionery Workers,[2] the United Garment Workers,[3] and the Lake Seamen,[4] fix a maximum as well as a minimum, and thus secure approximate uniformity in the fees charged by the local unions.

High special fees are defended on several grounds. In the first place, they often partake of the nature of fines imposed on recalcitrant, expelled, and non-union workmen. Although national regulations forbid fees above a stated sum, an additional amount in the nature of fines may be charged by the local unions, and must be paid for admission. The effect of this is merely to increase the fee. Many unions provide by this means for increased fees from "anti-unionists" or "oppositionists."[5] Thus the Bricklayers and Masons permit the local unions to impose only $10 as an initiation fee, but provide for the imposition of penalties ranging from $25 to $1000 upon either former members or non-unionists who have worked against the union.[6] The Marble Workers impose a special fee of $50 in addition to the regular fee upon non-members who knowingly work on unfair jobs.[7] The Pattern Makers provide that the executive committee of the local union may recommend such "cost of admission as it deems justified by the facts when the record of a candidate shows persistent defiance of and antagonism to the League."[8]

In the second place, when a union through continued

[1] Constitution, 1908, Art. XVIII, Sec. 8.
[2] Constitution, 1909, Art. V, Sec. 13.
[3] Constitution, 1900, Art. XIV, Sec. 1.
[4] Constitution, 1906, Art. X. Sec. C.
[5] Thus in 1902 fines imposed by a local union on eleven "scabs," ranging in amount from $250 to $1000, were reported by the executive board of the United Association of Plumbers, Gas and Steam Fitters (Plumbers, Gas and Steam Fitters' Official Journal, March, 1902, p. 5; October, 1904, p. 104; December, 1907, p. 1). See also The Union Boot and Shoe Worker, May, 1903, p. 29; Granite Cutters' Journal, December, 1887, p. 6; Constitution, Musicians, 1906, Standing Resolution No. 16; Constitution, Lithographers, 1907, Art. VIII, Sec. 5.
[6] Constitution, 1908, pp. 51, 52, 57.
[7] Proceedings, 1910, pp. 190, 210, 211.
[8] Constitution, 1900, Rule 94.

effort has secured improved conditions in a trade and accumulated superior advantages, an extra charge on new members is deemed a just payment for advantages they have not assisted in procuring.[1] Unusually high fees demanded from immigrants are thus justified, especially in the port cities, in order to protect the trades against an oversupply of workmen through immigration.[2]

(*c*) The final part of the mechanism of admission which has been subjected to national regulation is the balloting for members. Originally this detail was locally controlled. Certain unions, as for example the Bricklayers and Masons[3] and the Marine Engineers,[4] even now leave the matter to local determination. Following the practice of fraternal societies, the local unions often provided that a very small number of votes was sufficient to reject an applicant. Under this system a candidate might be rejected without just cause, through personal feeling, prejudice, or a desire to monopolize work. In order to secure uniformity among the local unions and to check or prevent the easy rejection of applicants, it has become the prevailing practice to specify the number of votes which shall be necessary to admit or to reject.

Some unions maintain the blackball method of balloting. This is true of the railway brotherhoods[5] and certain unions including the Boiler Makers and Iron Ship Builders,[6] the Steam Engineers,[7] and the Machine Printers and Color

[1] The Electrical Worker, May, 1903, p. 17.

[2] See Pattern Makers' Journal, December, 1901, p. 17; Granite Cutters' Journal, July, 1903, pp. 8, 11. See below, p. 103.

[3] Report of President, 1904, pp. 287, 295. It is interesting, however, to note that President Bowen of the Bricklayers' and Masons' International Union at this time characterized blackballing as "an intolerant system, so long as an applicant can be vouched for as a competent mechanic and there is nothing against him on the delinquent list of the organizations. When it comes to a labor organization blackballing a man for personal spite or for social reasons, it is decidedly a bad thing."

[4] Constitution, 1904, Art. IV, Sec. 7.

[5] See Constitution, Railway Clerks, 1906, Art. II, Sec. 5; Constitution and Statutes, Locomotive Engineers, 1910, Sec. 35; Constitution, Locomotive Firemen, 1909, Sec. 4.

[6] Constitution, 1899, Art. III, Sec. 5.

[7] Constitution, 1906, Art. XX, Sec. 5.

Mixers.[1] In 1888 the Iron Molders made the local balloting systems uniform by prescribing that five blackballs should reject.[2] In order to decrease the number of rejections on improper grounds, it was proposed further that the number of votes necessary to reject should be raised. Since 1890 the Molders have required an adverse vote of one third of the ballots for rejection.[3] For the same purpose the Printers in 1893 adopted a rule that if three fourths of the members present at any meeting of a subordinate union voted for the admission of the applicant, he should be admitted.[4] The Iron, Steel and Tin Workers,[5] the Tin Plate Workers,[6] the Blacksmiths,[7] the Retail Clerks,[8] and the Carpenters' United Brotherhood[9] specify a two-thirds vote as necessary for admission. Finally, a large group of unions require a majority vote to admit. These include the Carpenters' Amalgamated Society, the Granite Cutters, the Boot and Shoe Workers, the Barbers, the Electrical Workers, the Tobacco Workers, the Metal Polishers, the Steel Plate Transferrers, and the Upholsterers.

(3) In addition to national control of the machinery of admission, another direction in which increasing national authority has been exercised is in passing upon the qualifications of applicants. It has been noted above that at a very early date any member of a national union had the right to appeal against an unjust expulsion or other infringement of his rights by a local union. At a later time it became the practice for appeals to be made by workmen who were denied admission. Originally, such an appeal secured for the appellant a reconsideration of his case be-

[1] Constitution, 1904, Art. II, Sec. 3.
[2] Constitution, 1888, Art. VIII, Sec. 4.
[3] Constitution, 1890, Art. VIII, Sec. 4.
[4] Proceedings, 1893, pp. 12, 159.
[5] Constitution, 1909, Art. XXVIII, Sec. 1.
[6] Constitution and General Laws, 1901, Art. XXIV, Sec. 1.
[7] Local Union Constitution, 1901, Art. IV, Sec. 5; Local Union Constitution, 1910, Art. IV, Sec. 4.
[8] Constitution, 1901, Art. IV, Sec. 5.
[9] Constitution, 1911, Sec. 67.

fore the local union.[1] By degrees, a right to appeal against rejection for any cause came to be recognized and the power exercised to protect it. Thus in 1884 the Cigar Makers' International Union for the first time sustained appeals from rejected applicants and reversed the action of local unions.[2] Again, in 1886, the union reversed the action of a local union in Quincy, Illinois, in refusing a woman "the privilege of joining the union."[3] In 1890 the Bricklayers and Masons' International Union sustained an appeal from a workman rejected for alleged incompetency.[4]

More recently the practice of considering appeals of this kind has prevailed in a large number of unions.[5] A few, including the Printers,[6] the Boot and Shoe Workers,[7] the Hatters,[8] the Shingle Weavers,[9] and the Lithographers,[10] have incorporated provisions in their constitutions extending to rejected applicants the right to appeal. The Boot and Shoe Workers accept as members-at-large applicants who are rejected by a local union for insufficient cause. The Molders, the Blacksmiths, the Maintenance-of-Way Employes, the Steam Shovel and Dredgemen, the Box Makers and Sawyers, and the Iron, Steel and Tin Workers have not specifically recognized this right, but have considered a few cases of appeals by non-members. National

[1] See Proceedings National Forge, United Sons of Vulcan, 1871, pp. 19, 20; Monthly Circular [Stone Cutters], October, 1889, p. 1; Proceedings, Bricklayers and Masons, 1888, pp. 60, 125.

[2] Cigar Makers' Official Journal, September, 1884, p. 1; November, 1884, p. 1.

[3] Ibid., October, 1886, p. 1.

[4] Proceedings, 1890, p. 67. Appeals against the imposition of special initiation fees have also been frequently made (Report of President, 1901, pp. 165–166, 175, 176). See also Proceedings, 1887, p. 35; Report of President, 1902, pp. 285–287.

[5] Cigar Makers' Official Journal, May, 1898, p. 2; Report of President, Bricklayers and Masons, 1906, p. 215; Bakers' Journal and Deutsch Amerikanische Bäcker Zeitung, July 27, 1901, p. 1; Plumbers, Gas and Steam Fitters' Official Journal, December, 1907, p. 2.

[6] Proceedings, 1898, pp. 20, 105.

[7] Constitution, 1899, Sec. 44.

[8] Constitution, 1900, Art. X, Sec. 3.

[9] By-Laws, 1904, Art. IV, Sec. 1.

[10] Constitution, 1901, p. 79.

officers of the United Mine Workers, the Railroad Freight Handlers, the Commercial Telegraphers, the Coopers, the Car Workers, and the Piano and Organ Workers have asserted to the writer that appeals of rejected workmen would be considered, but that as yet no cases have arisen. The United Brotherhood of Carpenters[1] and the Painters, Decorators and Paperhangers[2] have considered appeals from rejected applicants, but have refused to interfere, as have a few other unions, on the ground that "local unions have the right to refuse the application of any persons they consider not qualified for membership." Thus a general tendency prevails to make the officers of the national unions the judges of the qualifications of candidates. The local union retains the nominal right to pass upon candidates in all unions, but every applicant can usually secure a rehearing of his claim of membership before a national officer. Since the qualifications for members are not strictly defined in union regulations, the national union is free to interpret their practical meaning and to pursue the policy which it may deem best.

The decisions of the national unions have usually held that a workman can be debarred only for incompetency or for notorious anti-union conduct. Enforcement of the decision remains as a rule in the discretion of the local unions, but failure to enforce such a decision ordinarily subjects the local union to fine, suspension, or a revocation of charter. It is improbable that extreme measures against a local union would be employed in the case of an appeal by a single applicant. Many local unions could, therefore, safely disobey a national decision. The national unions might, as do the Boot and Shoe Workers, admit rejected applicants to membership-at-large. It is inevitable, however, that some persons may be excluded from membership who are entitled to admission. Many applicants who are rejected and who might gain admission by an appeal to

[1] The Carpenter, February, 1897, p. 8.

[2] Official Journal, Painters, Decorators and Paperhangers, August, 1901, p. 19; January, 1902, p. 52; March, 1904, pp. 161, 162.

the national officers are either not aware of the right to appeal or do not avail themselves of it. The possibility of review by the national union certainly tends, however, to exert a good effect on the local unions by making them more considerate of the claims of applicants to membership.

Finally, a small number of unions in recent years have exercised full control over admission and over the qualifications of applicants. Thus, since 1898 the United Hatters have admitted members only by vote of the national board of directors. Workmen apply to the local associations and must be accepted therein by a two-thirds vote before their application will be passed upon by the board.[1] This method enables the national officers to exercise their own discretion as to admitting additional workmen into the trade. It has in practice been so used as to adjust the number accepted to the supposed needs of the trade for workmen.[2] The Machine Textile Printers accept applicants only by the approval of a two-thirds vote in each of the four districts forming the association.[3] In 1908 the Window Glass Workers[4] and the Marble Workers[5] adopted the rule that the national executive board or council must consent to the admission of any applicant.

A few national unions have exclusive control in admitting certain classes of applicants. For example, foreigners are admitted into the glass trades and into certain other unions only by the action of national officers.[6] The Flint Glass Workers,[7] the Print Cutters,[8] and the Lace Operatives[9]

[1] Journal of the United Hatters, November, 1898, p. 1; December, 1898, p. 3; May, 1901, p. 5; By-Laws, 1907, Art. IX, Sec. 1.
[2] Journal of the United Hatters, October, 1899, p. 4; Constitution, 1907, Art. X, Sec. 8.
[3] Constitution, 1906, Art. V, Sec. 2.
[4] Constitution, 1908, Art. III, Sec. 3; Constitution, 1910, Art. V, Sec. 3.
[5] Proceedings, 1908, p. 31; The Marble Worker, November, 1909, p. 240.
[6] See below, p. 105.
[7] Constitution, 1884, Art. XII, Sec. 7; Constitution, 1909, Art. XVII, Sec. 4.
[8] Proceedings, 1908, p. 12.
[9] Constitution, 1903, Art. III, Sec. 2.

in a similar manner admit persons who have been expelled or who have worked or learned the trade in non-union shops. A workman over fifty-five years of age can become a member of the Molders' Union only by securing the assent of the national president.[1]

[1] Constitution, 1907, Standing Resolution No. 55, p. 56.

CHAPTER II

ADMISSION BY APPRENTICESHIP

Provision by law or custom for some form of apprenticeship arose out of the industrial need for the competent training of persons seeking to engage in the handicrafts. So long as the domestic stage of manufacture predominated in industrial organization, the system of indenturing apprentices prevailed. The general practice of having every boy of the artisan class indentured was transplanted from Europe into the American colonies. Indeed, legal protection of the old indentured apprenticeship has persisted in the legislation of certain States until the present time.[1] The Industrial Revolution and the resulting form of large-scale production in factories rendered obsolete the older method of manufacture. Corresponding to the change in industrial methods, the system of indentured apprenticeship as a mode of training handicraftsmen gradually receded in importance until it has been virtually abolished.

But although apprenticeship has largely passed as a legal or customary institution, its analogue at least has persisted. Trade societies and trade unions in the United States have from the early nineteenth century insisted on the observance of the indentured system or of its successor—a customary apprenticeship unenforced by law. Under the influence of the division of labor increasingly prevalent throughout the period the need for extended training preliminary to entrance into a trade has, indeed, diminished in many of the manufacturing, building, and miscellaneous trades. Yet some form of apprenticeship training may be found in the majority of these trades. The trade unions endeavor to maintain wherever practicable the traditional

[1] Laws of Wisconsin, 1911, Chapter 347.

apprenticeship by enforcing as one condition of admission to membership the general requirement that the candidate shall have had an apprenticeship of actual work and instruction in the trade.

A combination of motives appears to actuate unionists in establishing this requirement. In prescribing ability, age, and kinship as qualifications, the union apprentice rule serves the primary purpose of the old apprenticeship system in securing competently trained craftsmen. It also operates to check the influx of young workers into a trade and to prevent the displacement of journeymen by poorly trained workers. When the rule includes, as it usually does, a provision for limiting the number of apprentices who may be admitted according to a fixed ratio to the number of employed journeymen, its obvious purpose is to limit members with a view to maintaining or raising wage rates. It is not, however, within the scope of the present chapter to consider in detail the purpose of the apprenticeship regulation; the intention here is to determine the meaning of apprenticeship when the unions enforce it as a condition of admission to membership.

Some fifty national and international unions in the United States make no provision in their rules and agreements for a specified term of previous instruction as a requisite for membership.[1] The means for determining the eligibility of applicants for membership in these unions are treated elsewhere in an analysis of the competency requirement for admission.[2] It should not be inferred that no skilled workmen are employed in any of these trades. The reasons for the absence of any attempt to enforce the apprentice rule in these unions may be seen by subdividing the fifty unions into three groups and considering the character of the work of certain typical trades in each group. The first group consists of unions of essentially unskilled workmen, such as the

[1] Motley, "Apprenticeship in American Trade Unions," in Johns Hopkins University Studies in Historical and Political Science, Series XXV, Nos. 11–12, p. 535.

[2] See below, pp. 66, 67.

Car Workers, the Hod Carriers, the Freight Handlers, the Longshoremen, the Foundry Employees, the Hotel and Restaurant Employees, the Glass House Employees, the Maintenance-of-Way Employees, the Seamen and the Mine Workers. Here the character of the work performed is such that a prescribed period of training is unnecessary. By engaging in the work a short time under the guidance of fellow employees the beginner is soon able to perform it satisfactorily.

A second group of unions comprises principally the railroad unions, and in addition the Steam Engineers, the Coal Hoisting Engineers, and the Stationary Firemen. In these trades long service and a high degree of skill are required to make competent workmen. The terms upon which beginners are accepted and upon which promotions are made to positions where the workmen become eligible for membership in the unions are not under the direction of the unions but are controlled by the employer. In consequence the unions have deemed it unnecessary to attempt to enforce a rule of apprenticeship as a condition of entrance.

The third group of unions comprise those in which the apprentice requirement for eligibility to membership, although at one time in force, has now been abandoned. It includes such unions as the United Garment Workers, the Textile Workers, the Boot and Shoe Workers, and the Meat Cutters and Butcher Workmen. Within these trades the subdivision of the processes of production and the introduction of machinery have progressed so far that the need for a prolonged period of training has been removed. The task of each individual, instead of being complex and difficult, as when one person completed the entire product, has become very simple. New and inexperienced workmen begin the work at any time. It is in recognition of changed industrial conditions that the unions here do not as formerly prescribe the apprenticeship qualification for admission.

A tendency toward the abandonment of any regulated

form of apprenticeship may also be found in many other trades. The unions have generally, however, continued to demand adherence to the apprenticeship requirement in some one branch of a trade or in certain districts of their territorial jurisdiction, although at the same time the system may have already been set aside in other districts or branches. For example, the constitution of the Cigar Makers' International Union provides that all persons learning cigar making or packing must serve a three years' apprenticeship, and that no shop shall be granted the use of the union label in which this provision is not enforced. It is admitted, however, that in much if not most of the jurisdiction of the union this rule is not enforced. According to the printed statements and verbal expressions of its officers, the union attempts to enforce the apprentice rule only in those localities where the union is exceptionally strong.[1]

Certain methods of acquiring knowledge of a craft have frequently been accepted as substitutes for regular apprenticeship. Each such device involves to a greater or less degree the breaking up or disregard of the prescribed system. Three forms of substitution may be differentiated. In the first place, certain trades in the clothing industry, in boot and shoe making, in cigar making, have no need for an extended apprenticeship period. Accordingly, a quasi-apprenticeship has been introduced, under which only a few months are required for learning the work. This method is common in trades in which the subdivision of processes is widely extended.

In the second place, a trade may be casually acquired even though an apprenticeship training be ordinarily prescribed as the proper method for learning it. The building-trades unions have had most success in apprenticeship regulation, and they still attempt to enforce the requirement, but it is commonly known that an ordinary laborer can acquire by

[1] Testimony of Ex-President Adolph Strasser of Cigar Makers' International Union in Report of Industrial Commission, Vol. VII, p. 265; statement of President George W. Perkins to the writer in personal interview in June, 1910.

casual application in different localities a working knowledge of any of these crafts without undergoing the required term of training.[1] General inquiry of the mechanics of the building trades as to how they acquired their craft knowledge confirms the impression that in a large number of cases it was merely picked up.

The third method by which certain trades are acquired without compliance with the apprentice rule as provided by the union is the "improver" and "helper" system of promotion or progression within a trade. An "improver" is one who has passed the apprentice age, but is allowed to work at wages as a learner in order to acquire the proficiency of a journeyman. The Wood, Wire and Metal Lathers and the Bricklayers and Masons permit this practice.[2] The "helper," as the name implies, only assists. He does not receive instruction, but his work is restricted to certain kinds of unskilled employment. By reason of his opportunity to watch the work of the journeymen he is frequently enabled to acquire the trade. The distinctive feature of this method of entering a trade is the absence of any definite term of preparation as a requisite for admission.

In the plumbing and steam-fitting trades and among the Printing Pressmen and Assistants, the Boiler Makers, the Blacksmiths, and the Machinists the regulation and control of the "helper" has occasioned considerable friction. The contention of the unionists, as against the employers, has been that the "helper" system increases the supply of workmen too rapidly, and that the workmen, moreover, are not thoroughly trained. Different means have been adopted by these unions to remedy this defect. As the titles of the unions suggest, "helpers" are in some cases organized in separate unions and in other cases are admitted directly as members. The Boiler Makers and Iron Ship Builders and Helpers and the Printing Pressmen and Assistants require

[1] Jackson, Unemployment and Trade Unions (London, 1910), pp. 65–66.

[2] Report of President, Bricklayers and Masons, 1903, p. 211.

that "helpers" must, in addition, serve the regular term of apprenticeship before they may become eligible to journeyman membership. The "helper" system in this case, instead of being a substitute for apprenticeship, becomes a preliminary to it. As a matter of fact, it has been found necessary to unionize the "helpers" in all trades in which the system prevails. The "helper" stage thus leads usually to union membership without regular apprenticeship.

Some fifty unions, as has been stated, do not attempt to maintain an apprenticeship rule. In certain of these, modern industrial conditions have destroyed the original system of apprenticeship; in others the union apprentice requirement and the methods by which beginners formerly were trained have been radically modified. The substitute methods by which competency is frequently acquired are also beyond union control and are usually opposed by the unions.

The remaining national unions, about seventy-five in number, continue to prescribe an apprenticeship qualification. We shall accordingly consider, first, the terms upon which persons may in these trades enter on an apprenticeship acceptable to the union; and, second, we shall attempt to determine the meaning of this apprenticeship when enforced by the unions as a condition of membership.

All unions making apprenticeship one of the conditions of admission attempt further to guard the entrance into the trade by imposing with more or less strictness certain physical qualifications and by maintaining a numerical limitation of persons desiring to become apprentices. In the highly skilled and strongly organized trades into which entrance may as a rule be secured only after serving the prescribed apprenticeship the requirements for becoming an apprentice are of special importance. The restrictions guarding entrance to apprenticeship are here both qualitative and quantitative. The former usually prescribe, in addition to ability to work, an age limit and in some unions a kinship connection which operates to limit in varying ratio the number of apprentices.

In order that the boy may be tested as to ability, fitness, and willingness to work it is customary in certain trades to permit him to be engaged to an employer for a probationary period varying from two weeks to six months or two years or more as a learner, improver, or "helper." For example, in 1895 the Master Plumbers' Association of Connecticut and the Master Plumbers of Lynn, Massachusetts, provided by agreement with the local unions for a probationary time for apprentices of six and three months respectively.[1] In 1905 the Metal Polishers provided that no one should become an apprentice in the union who had not worked for three months at the trade.[2] The Broom and Whisk Makers require a two-year term of apprenticeship after the boy works for a year as a "sorter." In the glass bottle blowing trade the apprentice is usually a boy who has been employed about the factory at odd jobs for a considerable time. The Boiler Makers provide that fifty per cent. of the apprentices must come from "helpers" who have already worked two years; the other half may come from the rivet heaters.[3] In the plumbing trade, apprentices have in many cases been already working as "helpers." The Printing Pressmen require that the persons must have been employed at least four years as "helpers" before they may be accepted as apprentices.[4]

Following the old regulation of the apprenticeship system by law and custom, the unions have ordinarily designated age limits within which an apprentice may enter upon or complete his training. The characteristics of the trade originally determined the limits. Where much physical strength is needed and some danger is encountered, the apprentices

[1] Report adopted by Connecticut Master Plumbers' Convention; Agreement between Master Plumbers' Association, of Lynn [Mass.] and Vicinity, and Journeymen Plumbers' Association, No. 77, Sec. 3, in Plumbers, Gas Fitters and Steam Fitters' Journal, September, 1895, p. 2.

[2] Constitution, 1906, Art. 43, Sec. 3.

[3] Proceedings, 1908, pp. 475, 494–496; Subordinate Lodge Constitution, 1908, Art. III, Sec. 2; statement of Secretary W. J. Gilthorpe to the writer in interview, July, 1910.

[4] Constitution, 1905, Art. III, Secs. 1, 2.

obviously should be somewhat older and of greater strength than in trades where less strength is necessary and dangers to beginners are less frequent. Thus, for instance, the Travellers' and Leather Novelty Workers' International Union refused to accept apprentices under fourteen years of age; the Shingle Weavers, under fifteen; the Stone Cutters, under fifteen; the Molders and the Pattern Makers, under sixteen; the Boiler Makers and the Paving Cutters, under sixteen, and the Brewery Workmen, under eighteen. The setting of age limits seems to be justified as a trade regulation in order that a proper training of apprentices may be secured at the most appropriate age. The minimum limit prevents an apprentice's being accepted at too early age, when an excessive amount of care and attention must be bestowed and the likelihood of regular advance is correspondingly less.

A large number of unions prohibit the entrance upon an apprenticeship of persons above a certain age. In this case it is held that an applicant for instruction above the maximum age is not willing to submit to the training and discipline, and that usually he does not become a competent tradesman. The Bricklayers and Masons do not require, but recommend, that local unions do not accept apprentices over twenty-one years of age. This recommendation is, however, the prevailing rule of the unions.[1] A strong reason for fixing a maximum limit is to discourage the employment of untrained men in place of regular apprentices. The Journeymen Stone Cutters refuse to accept as apprentices persons over twenty years of age, the Brewery Workers, the Painters and Decorators, the Carpenters and the Molders, over twenty-one, and the Boiler Makers and Iron Ship Builders, over twenty-five.

[1] In 1902 the president of the Bricklayers' and Masons' International Union, in his Annual Report, p. 264, in reporting a decision of a case before the judiciary board, said, "No subordinate Union has the right to indenture apprentices after they have attained their majority, this being an infringement upon both the recommendation of the [International] Union in its form of apprentice indentures, and the local law of No. 21 [of Columbus, O.]."

In a few small, well-organized trades more rigid age limits are fixed within which apprentices are accepted. The purpose of these measures is to restrict in an indirect manner the number entering the trade. Thus, for instance, the International Brotherhood of Tip Printers accepts in shops controlled by it apprentices only from the age of sixteen to eighteen, while the National Print Cutters' Association will receive apprentices only between the ages of sixteen and seventeen.[1] The Pen and Pocket Knife Blade Grinders and Finishers' National Union rejects apprentices beyond a certain age; but this restriction does not apply to the sons of members.[2]

A trade custom long prevalent among handicraftsmen granted the journeyman an exclusive privilege to teach his trade to his son or to some member of his family. Certain of the older trade organizations have explicitly recognized this custom in constitutional provisions for giving preference to sons of members in selecting apprentices. Other unions in practice give preference to sons of members when accepting apprentices. Thus, the constitution of the Stone Cutters' Union provides that while any local union may regulate the number of apprentices in each yard within the jurisdiction, stone cutters' sons in every case must have the preference.[3] So too in 1905 a local union of the Plumbers' United Association permitted only sons of journeymen or boss plumbers to learn the trade.[4] The same practice obtains in many other trades, especially in those in which opportunities are favorable for an apprentice's entering a skilled craft; the position of the father is rewarded by the preference shown his son.[5] Only a few unions, however, make

[1] General Laws of International Brotherhood of Tip Printers, Art. V, Sec. 2; Constitution, 1904, National Print Cutters' Association, Art. XV, Sec. 1.

[2] General Laws, Sec. 15a.

[3] Constitution, 1909, Art. IV, Sec. 7.

[4] Plumbers, Gas and Steam Fitters' Official Journal, March, 1905, p. 14.

[5] At Mt. Vernon, O., in 1904, the secretary of the Bricklayers' Local Union No. 32 made complaint to the International Union against two boys who were to serve their period of apprenticeship

relationship a qualification for entrance upon an apprenticeship. The Table Knife Grinders' Union maintains that "no one is eligible to learn the trade of table knife grinding and finishing, except the son of a member of this Union or of a member who has died or become disabled, or retired from the trade to follow some other occupation."[1] In 1884 the Window Glass Workers made kinship a qualification for permission to learn the trade. The present (1910) requirement is even more stringent, and is as follows: "No member of this Association shall teach his trade, whether flattener, cutter, blower or gatherer, to any other person excepting his own son, or his adopted son, adopted before twelve years of age. In case of the disability or retirement of the father from his trade, for a period of not more than one year, another member of the same trade may be permitted to teach his son. In case of the death of the father, a son may be permitted to learn any of the four trades. A brother may teach his trade to his own brother."[2] The object of limitations of this character is, of course, monopoly and restriction. The secretary of the National Window Glass Workers frankly stated in an interview that if the rule were rescinded too many would enter the trade.

The most effective device whereby the union may guard the regular entrance to a trade is the limitation of the number, rather than the requirement of certain qualifications, of persons who may become apprentices. Since the beginning of customary or statutory recognition of the industrial need of an adequate supply of well-trained mechanics a limitation of the number of apprentices has been attempted. The essential purpose of numerical limitation has continued to be the insuring of a supply of workmen according to the needs of each trade. But it may easily serve also one immediate aim of trade unionism—the maintenance of wages

under their fathers. Since the apprenticeship regulation was in control of the local unions, the International Union board had no power to act, but urged adoption of rules against such discriminating methods (Report of President, 1904, p. 285).

[1] Proceedings, 1896, p. 14.

[2] By-Laws, 1910, Art. III, Sec. 2.

—by diminishing the competition of laborers within the trade. Accordingly, all unions attempting apprentice regulation enforce more or less successfully some form of numerical limitation of apprentices.

Varying forms of limitation are used. But whether enforced as a national or a local union regulation, the commonest form is a fixed ratio to the number of journeymen, which remains the same however great the number of journeymen employed. Thus, for instance, the Molders have a fixed ratio of one apprentice to five journeymen employed. Since 1902 the Saw Smiths have maintained the ratio of one to ten.[1] The Lace Operatives enforce a ratio ot one to nine; the Metal Polishers, one to eight; the Bridge and Structural Iron Workers, one to seven; the Boiler Makers, one to five; and the Travellers' Goods and Leather Novelty Workers, one to four. In many trades local conditions make it necessary that the local unions should control the number of apprentices. It has consequently been the policy of the Cigar Makers, the Carpenters, the Painters, the Bricklayers, and the Printers to permit the ratio to be determined by the local unions. In such cases the ratios present varying proportions. The usual ratio prevailing among the local unions of the Painters is one apprentice to a shop with one for each five additional journeymen, among the Bricklayers, one to three, and among the Printers, one to five.

A second form of ratio is a declining one, by which the number of apprentices is reduced as the number of journeymen increases. Thus, the Broom and Whisk Makers permit one apprentice to a shop of less than twelve men, two to a shop of less than twenty-two, and three to a shop of twenty-two men or more; but no more than three may be accepted. This form of regulation merges into the third form which limits absolutely the number that may be employed in any one shop. Thus the Barbers' International Union has since 1894 allowed only one apprentice to any shop displaying the union card.[2] Likewise the Journeymen Plumbers' United

[1] Constitution, 1902, Art. IX, Sec. 2.
[2] Constitution, 1894, Art. XVII, Sec. 1; Constitution, 1910, Sec. III.

Association provides that apprentices may be accepted when necessary, but local unions shall in no case accept more than four in any one shop.[1]

Assuming that a properly qualified number of persons have been apprenticed acceptably both to the union and to the employer, the question next arising is, What relation does the apprentice sustain to the union? The apprentice rule may require a completed apprenticeship for admission to membership; if, however, the union ceases to exercise watchfulness and to extend protection over the apprentice throughout the apprentice period, his admission to apprenticeship gives him no assurance that upon its completion he will be acceptable for membership in the union. Unless subject to union influence and control, a body of apprentices may be used by the employer to thwart movements for maintaining wages. It is difficult for an apprentice who has been thus employed to gain admission thereafter to the union. As a matter of fact the unions extend protection over persons as soon as they are accepted as apprentices. Ordinarily a certificate or card from the union is issued to the person immediately upon his entrance as an apprentice. This signifies the approval of the union. In many cases he is at once thereafter entitled to become a member of the union. Thus the Shingle Weavers, the United Brotherhood of Carpenters and Joiners, the Steel Plate Transferrers, and the Lace Operatives grant apprentices immediate admission as apprentice members. Usually half the regular initiation fee and dues is assessed. The Bakery and Confectionery Workers provide that the apprentices and helpers shall be organized into auxiliaries of the union under whose jurisdiction they are employed, and shall be subject to payment of reduced initiation fees.[2]

Other unions which issue a certificate of indenture or a card of approval to acceptable apprentices do not grant them immediate admission to membership, but provide that they

[1] Constitution, 1908, Sec. 117.
[2] Constitution, 1909, Art. VI, Sec. 1.

may become members at some specified time before the period be completed. Thus, for instance, the Machine Printers' Beneficial Association since 1886 has considered its legal apprentices eligible for membership after one year of the seven years' required term.[1] In 1889 the Glass Bottle Blowers' District Assembly No. 149 made similar concession, provided that the apprentice was of good character.[2] The International Association of Machinists admits apprentices to membership after they have served two years of the four-year required term, upon payment of half the initiation fee, dues, and assessments.[3] Since 1889 the International Typographical Union has recommended that the local unions admit apprentices to membership in the last year of the apprentice period.[4] The Molders in 1899 made provision for admitting apprentices as "partial" members of the union at the beginning of the last of the four-year term at a lower initiation fee.[5] In 1909 the Pattern Makers adopted a provision permitting an apprentice in the last six months of the five-year period, "if capable, and recommended by a majority in the shop where he is employed and by a two-thirds vote of all present," to be admitted to membership by any subordinate association.[6]

Certain other unions make membership in the union compulsory upon apprentices either at the beginning or at some time during the period of apprenticeship. Thus, for instance, in 1905 the Metal Polishers and Buffers' International Union provided that apprentices must become members of the local unions of their branch of the trade.[7] The Journeymen Tailors require apprentices to become members upon attaining the age of eighteen.[8] The Boiler Makers and Iron Ship Builders and Helpers require the

[1] By-Laws, 1886, Art. V, Sec. 5; By-Laws, 1906, Art. V, Sec. 5.
[2] Proceedings, 1889, p. 61.
[3] Subordinate Lodge Constitution, 1909, Art. VII, Sec. 2.
[4] General Laws, 1889, Sec. 37; General Laws, 1910, Sec. 55.
[5] Iron Molders' Journal, August, 1899, p. 406.
[6] Constitution, 1909, Rule 29.
[7] Constitution, 1905, Art. 44, Sec. 3; Constitution, 1906, Art. 43, Sec. 3.
[8] Constitution, 1910, Sec. 33.

apprentice to take out an apprenticeship card of membership in his local union after two years' time has been served; "helpers" engaged as apprentices are required to secure this card at once.[1] The International Brotherhood of Blacksmiths and Helpers requires apprentices to become members at the end of two years and a half of the four-year period.[2]

As has been indicated, the payments required of approved apprentices as admission fees and membership dues are ordinarily reduced to about one half of the regular charges. It is also to be noted that the privileges of apprentice membership are usually limited to attendance upon the meetings without voting, with very restricted rights, or no rights at all, in the matter of the beneficiary features of the union. The motives of the unions in permitting or requiring apprentices to enter into this limited or partial membership relation are clearly indicated in the recommendation of the International Typographical Union to its local unions to admit apprentices to membership in their last year, "to the end that upon the expiration of their terms of apprenticeship they may become acquainted with the workings of the union and be better fitted to appreciate its privileges and obligations upon assuming full membership."[3] Likewise, the international secretaries of the United Brewery Workmen recommended at the convention of 1906 that "the apprentices should become members of our organization from the day of their employment in the brewery, thereby giving the union an opportunity to educate them in unionism, thereby preventing them becoming traitors during lockouts or strikes."[4]

But even in those unions wherein the apprentice as such is entitled to a more or less restricted membership status the union rule requires some form of completed apprenticeship as a condition of membership with full duties, privileges,

[1] Subordinate Lodge Constitution, 1910, Art. III, Sec. 2.
[2] Constitution of Local Unions, 1903, Art. XIII, Sec. 2.
[3] General Laws, 1910, Sec. 55.
[4] Proceedings, 1906, p. 104.

and benefits. If every apprentice served a term perfectly satisfactory to the union, including his admission into apprentice membership, he would have assurance of passing without difficulty into full membership at the end of the term. Under a condition of this sort the apprentice rule would become of less importance in the admission of apprentices who have completed their terms. But, in fact, numerous departures from the regular operation of apprentice regulations are made, which render necessary the enforcement of an apprentice requirement for admission. In the first place, it is commonly known and provided for that for various reasons an apprentice in any trade may be prevented from completing the term with the same employer or within the jurisdiction of the same local union. Seasonal and cyclical fluctuations in business make it impossible in certain trades for many apprentices to finish their terms without interruption. In the building trades it is particularly difficult to serve a complete term because of changes in volume of business in different parts of the year, and because of the necessary variations in the length of engagements on different jobs.

Again, the apprentice frequently desires a change of location, and may remove to another establishment or to another town or city, either to complete the term or to avoid completing it. Furthermore, in view of the varying adaptability and capacity of individual beginners in a trade, an apprentice may not be competent at the end of the prescribed term to perform a journeyman's work. In such a case it is clearly desirable that the term prescribed by the apprentice rule should be extended. In order, therefore, to determine whether or not an applicant for full membership has become competent, the unions ordinarily provide for a test or examination as to competency.[1] In such a requirement the fulfillment of the apprentice rule forms an essential part. Hence, to understand the interdependence of the apprenticeship and the competency requirements as conditions of

[1] See Chapter III, p. 68 et seq., where consideration is given to the competency requirement for admission.

admission to membership, the meaning of apprenticeship as defined by the union rule must first be made clear. For this purpose the unions requiring that applicants for membership shall have complied with the apprentice rule may be divided into two classes, according to the character of the apprenticeship requirement.

In the first and larger class of unions, to have served an apprenticeship satisfying the requirement for admission to membership signifies merely that the period fixed by the union rule has actually been completed in working at the trade. In theory this time of service is supposed to represent the customary or the union estimate of the time necessary for an applicant for membership of ordinary ability to learn the trade well enough to command journeyman's wages. Time is, however, the only essential element of the apprenticeship required by unions of the first class. This kind of apprenticeship is the prevailing type in the printing, building, metal, and certain miscellaneous trades.

The early nineteenth century typographical societies of Philadelphia, New York, Washington, and Baltimore insisted that all apprentices should serve a definitely prescribed term. The Philadelphia society provided in its constitution of 1802 that no person should be eligible to become a member who had not "served an apprenticeship satisfactory to the board of directors."[1] The rule of the New York society in 1809 was that no one should be admitted who had not "duly and regularly served the term of three years."[2] A survival of this early policy is the uniform practice of the unions in the printing trades of specifying the term of years for an apprentice to serve. Until 1902 the International Union had not recommended any definite term as the proper one for the local unions to enforce. The local unions ordinarily fixed this term at four years. Since 1902, however, the International Union has fixed four years as the minimum time which must have been served before

[1] MS. Constitution of Philadelphia Typographical Society, 1802, Art. XV.

[2] MS. Minutes, Typographical Society of New York, 1809, p. 46.

admission to membership is possible.[1] The Printing Pressmen require applicants for membership as pressmen to show in their application sufficient proof of an actual apprenticeship of at least four years, served on the floor as apprentice pressmen, before being admitted to full membership. Credit is given for all apprenticeship time whenever it may have been actually served.[2] The Brotherhood of Bookbinders enforces the full term for entrance to the trade by refusing to permit members to work in any shop where a workman is employed who has refused to serve the full term of four years.[3]

Other unions in the printing trades which require a minimum service are the German-American Typographia, the Lithographers, the Photo-Engravers, the Stereotypers and Electrotypers, and the Steel Plate Transferrers. The Bookbinders and the Photo-Engravers require that the apprentice certificate issued to new apprentices shall be presented as proof of a completed term when application is made for membership. The Stereotypers and Electrotypers, in cases of intermittent employment, require the apprentice to file an affidavit certifying the time of service; this must be authenticated before favorable action may be taken on the application for admission.[4]

Fluctuation in business and irregularity of employment in the building trades render a specified term more difficult of enforcement than in the printing trades, yet for many years the Bricklayers and Masons and the Carpenters have advocated the binding of an apprentice for a definite term of service. The Bricklayers do not prescribe a time limit, but the local unions in practice require a three-year term. The national union ordinarily insists upon strict compliance with the time limit set by any local union.[5] The time served

[1] Barnett, pp. 174. 195; General Laws, 1902, Sec. 32.
[2] Constitution, 1898, Art. XXII, Sec. 4; Constitution, 1909, Art. III.
[3] Constitution, 1907, Art. XV, Sec. 5.
[4] General Laws, 1904, Sec. 19.
[5] In July, 1887, an apprentice who claimed that his term was finished on a two-year agreement applied to Local Union No. 11 of

by an apprentice applicant for admission must be vouched for, and apprentices who have been admitted before their time has been completed are likely to be excluded from membership until the completion of the term.[1]

The local unions of the Bridge and Structural Iron Workers determine the term of apprenticeship, which in the structural branch is usually eighteen months and in the ornamental branch, four years. The Carpenters and Joiners, the Painters and Decorators, the Ship Carpenters and Joiners, the Shingle Weavers, the Granite Cutters, and the Journeymen Stone Cutters and the Marble Workers require proof that the apprentice period has been completed before an applicant may be considered eligible for journeyman membership. Owing to the character of employment in such trades, the unions do not require that the term shall be served with one employer, although they do desire that such shall be the case. The result is that additional care and investigation are necessary in order to secure satisfactory evidence that a complete term has been served. The Painters and Decorators prescribe a term of three consecutive years.[2] The Shingle Weavers provide that applicants for admission may not be tested as to competency until one year of apprenticeship has actually been worked.[3] The rule of the Marble Workers requires that the applicant shall satisfy the examining board of the local union that the four-year term has been completed, and also imposes a fine of twenty-

St. Louis, Mo., and was admitted. His employer had refused to give him a discharge, claiming he had to serve three years. Members of the union appealed against the admission. The national executive board approved the action of the local union in admitting the man, his time having been finished (Report of President and Secretary to Convention, 1888, pp. 16–17).

[1] Report of President, 1903, Cases No. 34 and No. 51, pp. 104, 384; Report of President, 1904, Case No. 2, Judiciary Board Decisions, p. 273. In 1904 Secretary Dobson, in a judiciary board decision concerning an apprentice excluded from admission, upheld the policy of the union, declaring that "apprentices cannot be admitted to membership until they have fulfilled their time of apprenticeship, and are vouched for as competent mechanics, besides having their release from their employer" (Report of President, 1904, p. 380).

[2] Constitution, Amended by Referendum, March, 1910, Sec. 257.

[3] By-Laws, 1909, Art. X, Sec. 4.

five dollars upon any local union which shall knowingly admit a candidate who has not served the full time.[1]

The unions of the metal trades which enforce a definite term of apprenticeship are the Molders, the Pattern Makers, the Stove Mounters, the Machinists, the Metal Polishers and Buffers, and the Wood, Wire and Metal Lathers. The Sheet Metal Workers permit, as do the Bricklayers and Masons, the local unions to fix the term, which is usually four years. A national officer of the Molders stated that the four-year time limit "is rigidly enforced." Boys who have been admitted into a local union but one month before completing the term have been excluded until the four years were finished.[2] This requirement is a continuation of the policy of the Molders' Union of the sixties and thereafter, during which period a "regular apprenticeship" of four years was continuously demanded.[3] The Pattern Makers' League recognizes five years as the length of time an apprentice should serve. The provision of the league is typical of union practice generally: "The League will not admit as a member or sanction the employment of any person who has not served a regular apprenticeship of five years at pattern making except where the applicant has been found upon investigation to be a competent workman and able to command current rate of wages. Where new associations are being organized it shall be in the power of the organizer to admit such candidates to membership."[4]

In the miscellaneous trades the unions accepting a fixed period of work in the trade as the equivalent of satisfactory apprenticeship include the Cigar Makers, the Barbers, the Brewers, the Bakery and Confectionery Workers, the Broom and Whisk Makers, and the Watch Case Engravers. The Cigar Makers, since their organization in 1864, have either required or recommended an apprenticeship term of three

[1] Constitution, 1906, Art. VI, Sec. 2.
[2] Interview by the writer, June, 1910.
[3] Iron Molders' International Journal, June 30, 1873, p. 23; Aug. 10, 1875, p. 409; April, 1891, p. 25.
[4] Constitution, 1902, Art. 33; Constitution, 1909, Art. 33.

years.[1] Although the rule is still prescribed, the union, as stated above, is not able to enforce it. This position illustrates the practice and policy of a number of other unions: an apprentice period is prescribed, but applicants may be admitted who are able to do the work of the trade and command the prevailing wages, and no investigation is made as to whether the required term has or has not been completed. Such evidence is not considered a necessary part of the proof of competency which entitles the applicant to admission. Thus, for instance, the Machinists' International Association provides for the admission of all applicants judged competent by the examining committee and the local unions whether or not the four-year term required by the apprentice rule of the association has been spent in working at the trade. Likewise, the Wood, Wire and Metal Lathers admit many applicants who are able to meet the practical test for competency in disregard of the union requirement that two years must previously have been served in the trade. The Pattern Makers, while demanding strict compliance with the five-year apprentice rule, make provision for cases in which competency may be proved without the apprentice term having been served, particularly when new associations are being formed. This policy prevails also with the Bricklayers and Masons.[2] In general, it may be said that when a more immediate interest of the union may be served thereby, even the unions which ordinarily insist most rigidly that the specified term must have been finished will admit applicants known not to have served the full term.

The purpose of the apprentice period being to allow sufficient time to ensure well-trained and competent wage earn-

[1] Constitution, 1865, Art. II, Sec. 1; Constitution, 1896 (21st ed.), Sec. 214.

[2] Thus in 1900 a case came before the judiciary board of the union as to whether or not a local union should admit an apprentice who had served the required term outside the jurisdiction of the union. It was held that even if the applicant did not present proper proof of his apprenticeship, the local union "had better take him in, and let him finish out his time under instructions. But by all means get him in somehow; he will be better in the union than out of it" (Report of President, 1900, Case No. 7, p. 125).

ers, it becomes necessary in individual cases to extend the minimum term in order to allow those who learn slowly or who begin late to acquire competency. This is the practice, for example, in the printing trades. An extension of time gives the employer the benefit of the further services of the apprentice. That this extension of the term and the consequent exclusion for a time from full membership may not become an established practice, certain unions attempt to enforce a maximum limit. Thus, for instance, the Piano and Organ Workers provide that the regular term shall be the maximum, and that apprentices may not serve longer without the consent of the local union.[1] The Glass Bottle Blowers provide that an apprentice shall serve not more than five years, or fifty working months in all.[2] The Cigar Makers have also sought to prevent the apprentice period from being extended, thus making the regular term the maximum.[3]

The common features of the apprenticeship requirement for admission are thus a definite term and a limited number of persons. It must not be supposed, however, that the time element alone is the subject of union apprentice regulation. It is also important to the union that every apprentice should serve the time in a shop where the union is recognized, and that the character of his training should be so prescribed by the union that he may make regular progress. The unions of the first class have not incorporated these two elements into the apprentice rule for admission. There prevails, however, even here some tendency to discriminate against an apprentice trained in a non-union shop when he applies for admission. Thus, for example, in 1891 a re-

[1] Motley, p. 83.

[2] By-Laws, 1910, Sec. 13.

[3] In 1897 an appeal was made to the president of the Cigar Makers' International Union against Local Union No. 55 of Hamilton, Ont., for compelling an apprentice who had served the three-year term to join the union. It was claimed that the apprentice was bound by an agreement for a four-year term. The decision was that unless the four-year agreement or contract in writing could be shown, the apprentice must remain a member of the union (Cigar Makers' Journal, April, 1897, p. 7). For another case, see Cigar Makers' Journal, July, 1896, p. 1.

jected applicant for membership in Bricklayers' and Masons' Union No. 3 of Newark, New Jersey, appealed to the executive board, claiming that he desired to join though he had served an apprenticeship of three years with a non-union boss.[1] The executive board sustained the local union in rejecting the applicant on account of the circumstances under which the apprenticeship was served and under which he had been working since its completion. Local unions are expressly prohibited by the International Typographical Union, the Printing Pressmen and Assistants, and the Shingle Weavers from rejecting a candidate "solely on the ground of having served his apprenticeship in an unfair office." The Operative Potters likewise have refused admission to applicants trained in non-union offices. In unions of the first class, however, persons are ordinarily admitted without discrimination on account of the place or shop in which the trade may have been acquired.

The character of the apprentice's training and his progress toward the rank of journeyman are also frequently matters of concern to the union. The first group of unions do not require that their regulations concerning training shall have been complied with before a candidate is admitted. The regulation actually prevailing takes the form of a charge to journeymen, foremen, or members of a union to see that an apprentice has thorough instruction and opportunities for advancement. The following rule of the Stone Cutters is typical: "It shall be the imperative duty of shop stewards and members to see that all apprentices in their respective shops are given good work, in order that they may become skilled workmen, fitted to take their place as journeymen in our midst."[2] Of the same tenor is the rule of the Boiler Makers and Iron Ship Builders: "Any person engaging himself as an apprentice . . . must be given

[1] Twenty-sixth Annual Report of President, 1891, Case 83, p. cxvii.

[2] Constitution, 1892, Art. V, Sec. 8; Constitution, 1900, Art. V, Sec. 8; Constitution, 1909, Art. IV, Sec. 8.

an opportunity to learn all branches of the combined trades of the Brotherhood."[1]

In recent years the tendency in some unions is toward making a specific statement of the work to be performed by the apprentice during each year of his term. Thus, for example, in 1902 the Typographical Union recommended that subordinate unions "make every effort possible to secure the proper training and instruction of apprentices," and in 1903 the local unions were ordered to pass "laws defining the grade and classes of work apprentices must be taught from year to year." In 1906 the International Union adopted a detailed regulation providing that apprentices employed in the trade where machine or typesetting devices are in use "must be employed the last two years of their apprenticeship on the case, excepting the last three months . . . which may be devoted exclusively to work on linotype or typesetting devices."[2] The Marble Workers also suggest for the apprenticeship that the first three years shall be served in a shop in cutting and fitting marble at the bench, and the fourth year in a building under the direction of a setter of the International Association of Marble Workers. Apprentices are also given the right to use all machines under the control of cutters and setters. Regulations of this character are, however, not enforced by the unions as a condition of admission. They seem to have for their purpose the better training of the apprentice for the trade. Applicants for membership who are competent, but who have not been trained according to these regulations, are in all cases admitted.

In the second class of unions requiring some form of apprenticeship for admission the apprenticeship is more fully under union control than in the unions previously considered. Apprenticeship as a prerequisite for admission is here taken to signify, first, that the period fixed by the union in which to learn the trade has been completed; second, that the shop or establishment in which the time

[1] Constitution, 1910, Art. III, Sec. 2.
[2] Proceedings, 1905, p. 211.

has been spent is one recognized as "fair" or acceptable to the union; and third, that the training of the apprentice was according to the specifications of the union. The unions maintaining this form of apprenticeship requirement are the United Hatters, the Glass Bottle Blowers, the National Print Cutters, the Window Glass Workers, the Chartered Society of Amalgamated Lace Operatives, the Machine Printers and Color Mixers, and the Saw Smiths. These trades are highly skilled, largely localized, and strongly organized.

The specified terms of this apprenticeship are in the United Hatters, the Lace Operatives, and the Window Glass Workers, three years; in the Saw Smiths' National Union, four years; in the Glass Bottle Blowers and National Print Cutters, five years; and in the Machine Printers and the Color Mixers, seven years. The terms of instruction are maintained both by custom and by union regulation. The original purpose in view was to provide an adequate supply of well-trained workmen as they were needed in the trade. But sight was certainly not lost of the fact that a definite term of instruction, enforced along with a fixed ratio of apprentices to the number of journeymen employed, results in a limitation of numbers. The rule fixing the term in the United Hatters is as follows: "To constitute a journeyman a boy shall be required to serve a regular apprenticeship of at least three consecutive years."[1] The Lace Operatives claim to admit to membership only the competent workman, who is defined as "one who has served three years at a lace machine."[2]

It was pointed out that the unions in which the common and essential feature of apprenticeship is the length of the term will at times rather accept a shorter than require a longer term. Similarly, although the unions of the class now under consideration as a rule incline toward definiteness of time and uniformity in its observance, yet they do

[1] Constitution, 1900, Art. II, Sec. 2.
[2] By-Laws, 1909, Art. III, Secs. 1–8.

not insist on the element of time as an absolute requirement. Thus, for instance, the Glass Bottle Blowers, by providing that an apprentice shall serve "not more than five years," by implication provide that a shorter term may be accepted.[1] Certainly variation below the five-year term does not disqualify an apprentice for admission when he has been prevented through no fault of his own from completing it, as when a factory ceases to operate or becomes non-union.[2] This exceptional case was actually provided for by the United Hatters in December, 1898, when application was received from an apprentice who had been unable to complete the term by losing his position in the shop while a volunteer in the Spanish-American War. A rule was adopted applicable to this and other cases of a similar nature, providing that "any boy who has one year or less of his apprenticeship to serve shall get a card of admission, provided that he has lost his shop."[3]

As early as 1863 the Hat Finishers' Association of Philadelphia and Camden County, New Jersey, required as a condition of admission a term of apprenticeship served in a "fair" shop. The United Hatters at present make the same requirement.[4] While the Amalgamated Lace Operatives do not expressly require that the time shall have been passed in a "fair" shop, yet in practice the society discriminates against apprentices from other shops, since all persons who have previously held positions considered detrimental to the interest of the unions are subjected by the national executive board to special terms of admission.[5] The National Print Cutters require that the time shall have been served in a "regular recognized shop."[6] The Window Glass Workers also discriminate against apprentices trained in non-union factories. In 1896 the association provided

[1] By-Laws, 1910, Sec. 13.
[2] Proceedings, 1898, p. 94.
[3] Journal of the United Hatters, December 1, 1898, p. 3.
[4] Constitution, 1863, Art. II, Sec. 1; Constitution, 1900, Art. XII, Sec. 2.
[5] By-Laws, 1905, Art. III, Sec. 2.
[6] Constitution, 1898, Art. VI, Sec. 1.

that any one who had been engaged at a non-union glass factory should be ineligible to membership. In 1906 a rule was placed in the constitution explicitly debarring from membership all apprentices who had worked in certain designated non-union factories, which included all such factories in the United States.[1] The Glass Bottle Blowers' Association has for many years pursued the practice of denying admission to applicants who have served their terms in non-union factories. The union requirement is that the term shall have been served "in a union factory." A number of cases have arisen in the history of the union in which admission has been denied because of the applicant's training in or connection with a non-union factory.[2]

The unions require training in a "fair" shop for two reasons: First, it is claimed that more thorough training may be acquired in union than in non-union shops. In this way both the original and the theoretical purposes of an apprenticeship system are served. Second, the requirement, if enforced, enables the union to bring beginners under union influence. As a practical means of organization the requirement is effective. Refusal of admission after the applicant has completed a term of training represents a stage in the development of union policy which has been attained only in the highly skilled and well organized trades. Such a policy, if pursued by the weaker unions, would only add strength to non-unionists.

The specific work to be performed by an apprentice during successive stages within the term served in a "fair" shop is defined in more or less detail by some unions, and in some cases the members of the union in the shop are also

[1] Constitution, 1896, Art. III, Sec. 31; Constitution, 1906, Art. I, Sec. 18.

[2] One case is that of an applicant who in 1892 appealed to the convention of the association for admission over his rejection by a subordinate branch. The decision of the association was that "it would not be policy to admit such applicants as in so doing it would encourage boys to go into non-union factories for the very purpose of getting possession of the trade, if they found they could be taken into the association" (Proceedings, 1892, p. 136). For other cases see Proceedings, 1897, p. 36; Proceedings, 1908, p. 94. See also Constitution, 1892, Art. I, Sec. 3; Constitution, 1910, Art. I, Sec. 3.

required to direct the instruction. Regulations of this type undoubtedly originated in a desire to have well-trained workmen enter the trade. In 1906 the National Print Cutters made provision for regulating "the manner that the apprentice shall be employed during the term of his apprenticeship."[1] The Window Glass Workers specify the time within the term at which the apprentice may be allowed to learn the kinds of work in the trade.[2] The Glass Bottle Blowers insist that manufacturers shall compel beginners in the trade to blow for a finisher for the first two years.[3] The requirement of the Saw Smiths in more general terms is that "it shall be the right of every apprentice, and he shall also be required to learn all branches of anvil work in the shop in which he is employed."[4] The United Hatters provide in great detail that "all apprentices registered for the making department after being instructed three months shall continue for the space of nine months at sizing, then six months at blocking, then six months at stiffening. All apprentices registered for the finishing department, after being instructed three months shall continue for nine months at finishing, then one year at flanging or curling. After this space of time the employer can put them at any branch of the business he may require their service."[5]

These unions, therefore, reserve the right to exclude applicants for admission who have not had an apprenticeship of proper length, or one which was not served in a "fair" or acceptable shop. It may not be said, however, that an applicant whose term, although passed in a union shop, had not been spent exactly in accord with union specifications as to kind and grade of work would be excluded. If an applicant has served in a union or "fair" shop, he will usually be admitted, if competent. Indeed, the unions assert that if union rules as to time, place, and manner of training were observed, competency would be assured.

[1] Proceedings, 1906, p. 7.
[2] By-Laws, 1908, Art. III, Sec. 14.
[3] Proceedings, 1908, p. 118.
[4] Proceedings, 1902, Sec. 4, p. 12.
[5] Constitution, 1900, Art. XI, Secs, 6, 7.

CHAPTER III

ADMISSION BY COMPETENCY

The original conception of a trade was a manual occupation into which a workman could be initiated only through an extended course of training. Every craftsman was considered as sharing in the monopoly and as holding a vested right to which he had become entitled by reason of the time and effort spent in acquiring skill. Competency in performing the work was required in order to gain entrance to any trade.

In the preceding chapter we have noted the absence of any apprenticeship in certain trades and a tendency toward its abandonment in many others. In the remaining trades which attempt to enforce an apprentice rule various causes often interfere and make the period of instruction so intermittent and irregular that the apprentice at the end of the prescribed term is not always a competent mechanic. Members of trade organizations, moreover, are interested in upholding the standards of proficiency for entrance. Accordingly, the apprenticeship requirement is supplemented by the rule prescribing competency as a qualification for admission. The terms "practical printer," "practical bricklayer," "journeyman carpenter," "molder," "cigar maker," "mechanic," and so forth, are used to signify the competent workman who alone is eligible for membership.

Such a competent workman meant originally in all trades one who was proficient in all processes of the trade. After the introduction of machinery and the rise of the factory system of production, the character of many trade processes and the subdivision of labor changed so that it ceased to be necessary for a mechanic or artisan to become skilled in all branches of the trade. Specialized occupations, requiring little training for their mastery, are to be found now in

practically all trades. Examples of such differentiation or specialization may be observed, for example, in boot and shoe making, cigar making, the making of clothing, printing, carpentry, slaughtering and meat packing, and the machinists' trades.[1]

The admission of specialized workmen to membership in trade unions has usually encountered strong opposition among unionists. Thus the Knights of St. Crispin during their existence from 1869 to 1874 attempted to regulate or hold in check the employment of "green" hands in the shoe industry. Certain local unions of the Cigar Makers' International Union in the seventies seceded rather than abide by the rule recognizing the right of bunch makers and strippers to be admitted to membership.[2] Opposition likewise arose to the admission of "helpers" into the Amalgamated Association of Iron and Steel Workers, and prior to 1877 large classes of unskilled workmen in the trade were ineligible to membership.[3]

But when the proportion of unskilled workmen in any

[1] In 1904 the president of the International Association of Machinists said: "The extent of the jurisdiction of the International Association of Machinists, as a result of the admission of specialized workmen to its membership, is shown by the following twenty-five classes of machine-shop workers: (1) General hands, (2) erecting hands, (3) floor hands, (4) vise hands, (5) assemblers, (6) adjusters and repairers of metal working parts of all classes of machinery, (7) men operating all classes of lathes, (8) men operating all classes of planers, . . . (10) men operating all classes of shapers, (11) men operating all classes of slotters, (12) men operating all classes of boring mills, . . . (15) men operating Jones & Lamson, Gisholt and American turret lathes, (16) drill press hands, (17) screw machine hands, (18) men operating all machines of a similar character as heretofore mentioned, (19) tool makers, (20) die sinkers, (21) jig workers, (22) mold makers in glass factories or elsewhere, (23) all men engaged in the manufacture of metal model novelties where skilled hand labor or machines are used, (24) all surgical instrument makers, (25) all metal pattern makers employed in machine shop" (Machinists' Monthly Journal, September, 1904, p. 790). For other instances of extreme specialization see Third Annual Report, Massachusetts Bureau of Labor Statistics, 1871, p. 232; Cigar Makers' Journal, March 10, 1878, p. 1; Pope, The Clothing Industry in New York, pp. 70, 71; Commons, Trade Unionism and Labor Problems, p. 234.

[2] Cigar Makers' Journal, April, 1878, p. 1; November, 1879, p. 1; September, 1880, p. 2.

[3] Proceedings, 1877, pp. 50, 74, 75.

trade was large, the practice of excluding them from the trade organization became injurious, since the numerical and strategic strength of the union was thereby weakened. Consequently, an open-door policy was ordinarily adopted so as to admit any workman, even though he was competent only in a branch or single operation of a trade. Thus, after 1875 the Cigar Makers' International Union refused to permit its local unions to reject any applicant on account of the system of "working" or because he was engaged at only a particular branch of the trade.[1] Since that time "all persons engaged in the cigar industry have been eligible."[2] In 1877 the Amalgamated Association of Iron and Steel Workers, acting on the recommendation of the national president, changed its rules so that four new classes of semi-skilled workers, namely, knobblers, turners, boiler plate men, and sheet-iron shear men, could be admitted.[3] Again, in 1887 the president proposed that "all branches of labor directly interested in the manufacture of iron and steel should be made eligible to membership." In 1889 the measure was adopted, and has since continued in force, admitting all grades of workers except "laborers," and these may be admitted at the discretion of the subordinate lodge.[4] The Boot and Shoe Workers' Union has continuously granted admission "to any worker actively employed at the craft."[5] Since 1902 the International Molders' Union has claimed as its membership jurisdiction the "trade of molding in all its branches and subdivisions, including coremaking."[6] Similarly, the United Association of Journeymen Plumbers has recognized the effect of specialization within the plumbing trade, and has provided for a broader membership juris-

[1] Constitution, 1875, Art. I, Sec. 2, in Cigar Makers' Journal, April, 1878, p. 1; Cigar Makers' Journal, May, 1881, p. 1.
[2] Constitution, 1881, Art. IV, Sec. 1; Constitution, 1896 (21st ed.), Sec. 64. "Chinese, coolies and tenement-house workers" are excepted.
[3] Proceedings, 1877, pp. 50, 74–77.
[4] Proceedings, 1887, pp. 1953, 2118; Proceedings, 1889, pp. 2686, 2687, 2791; Constitution, 1910, Art. I, Sec. 1.
[5] Constitution, 1895, Art. XX, Sec. 1; Constitution, 1909, Sec. 37.
[6] Constitution, 1902, Art. I, Sec. 2.

diction.[1] The change of policy toward specialists made in 1903 by the International Association of Machinists is typical of the course now followed in all trades giving employment to increasing numbers of unskilled workers. Only workmen "performing the work of a machinist" had previously thereto been eligible, but since that time "any person working in a machine shop and engaged in any manner with the making and repairing of machinery. . . providing that he receives the minimum rate of wages of his class in his locality," may be admitted.[2]

While many unions have thus been forced or led to restrict the scope of the required competency, the feeling against incompetency is as strong as ever. It is not difficult to understand this hostility. Incompetent workers threaten constantly from lack of employment to lower the minimum rate of wages; they are irregular in membership, and are frequent claimants of beneficial relief. The National Typographical Union in 1865 condemned the "practice of admitting persons who have not exhibited sufficient proof of their qualifications as printers."[3] In 1884 the president of the Amalgamated Association of Iron and Steel Workers remonstrated against the action of some subordinate unions in admitting members who were not qualified.[4] Since 1889 the International Typographical Union has insisted that local unions make "a rigid examination as to the competency of candidates."[5] The International Molders' Union

[1] The president of the association in 1902 reported as follows: "Our trade as well as others has been rapidly branching out into hitherto unknown fields, so that today we have branching from plumbers, gas, and steam fitters, an array of specialists, such as sprinkler fitters, ammonia pipe fitters, fixture hangers, beer pump men, and 'ship plumbers,' all of which properly belong to . . . our trade [plumbing], while not all of the last mentioned are affiliated with the U[nited] A[ssociation], they are using the same tools and fittings and should properly affiliate" (Plumbers, Gas and Steam Fitters' Official Journal, October, 1902, p. 25). See Constitution, 1908, Sec. 2; see also Plumbers' Journal, June, 1908, p. 8.

[2] Machinists' Journal, July, 1903, pp. 586–590; Subordinate Lodge Constitution, 1903, Art. I, Sec. 1.

[3] Proceedings, 1865, p. 48.

[4] Proceedings, 1884, p. 1363.

[5] Proceedings, 1889, p. 48.

has consistently held to the view that its members should be competent. In 1893 the president thus interpreted its admission policy: "No union has the right under any circumstances to initiate to membership any molder who may have learned the trade outside of its jurisdiction, without first making close and searching investigation as to his mechanical ability. If he is not a competent mechanic at the branch of the trade which he represents, we do not care how long he has worked at molding, do not admit him to membership."[1] Again, in 1899 he recommended that more care should be exercised in the admission of members, "so that the union card would be recognized as the badge of the competent mechanic."[2] The Bricklayers' and Masons' International Union holds that "no applicant for membership shall be blackballed except for incompetency."[3]

The national union ordinarily prescribes competency as a qualification, and each local union decides whether any particular applicant is qualified. The decision in each case is in most unions subject to an appeal to the national union. In view of the increasing differentiation of processes within trades and of the practice of admitting specialists and even, at times, persons known to be incompetent, and in consideration of the local determination of the qualification of applicants, it becomes difficult to state with exactness the meaning of competency as a requirement for admission. It is relative in application, and subject to variation according

[1] Iron Molder's Journal, June, 1893, p. 3.

[2] Proceedings, 1899, p. 17. In 1902 again it was officially announced: "The officers of local unions would avoid much confusion if they would carefully investigate the eligibility of a candidate for membership before and not after he has been initiated. The number of cards that have been annulled lately indicate gross carelessness on the part of investigating committees" (Iron Molders' Journal, September, 1902, p. 808).

[3] Constitution, 1897, Art. X, Sec. 4; Constitution, 1908, Art. XI, Sec. 4. In time of strike, or in a trade movement, for example to unionize a shop, unions frequently admit workmen known to be unqualified. See Semi-Annual Report of Secretary, Bricklayers and Masons, June 3, 1896, p. 3; Stone Cutters' Journal, December, 1892, p. 3; Proceedings, Amalgamated Window Glass Workers, 1907, p. 19; Proceedings, Brewery Workmen, 1908, p. 163; Brauer-Zeitung, July 13, 1907, p. 1.

to the trade and the locality under consideration.[1] Competency implies manual dexterity, speed, and accuracy. It may on the whole, perhaps, be best defined as the ability, mental and physical, requisite to perform a quantity of work of such a quality as will give satisfaction to the employer.

Local unions determine whether or not an applicant satisfies the competency requirement by one of three methods: (1) by ascertaining whether the applicant can obtain employment in a locality at the minimum rate of wages; (2) by securing proof that the workman has had a definite period of training or of experience in the trade, and (3) by testing the ability or skill of the candidate in an actual performance of work.

The great mass of unions make wage-earning capacity the measure or test of competency. Thus the United Brotherhood of Carpenters and Joiners denies admission to any workman who is not "competent to command a general average of wages."[2] The Brotherhood of Painters, Decorators and Paperhangers provides that the applicant must be "competent to command the minimum wages established by the local union or district council" where application is made.[3] In some cases actual employment at the trade is

[1] Movements have been started in recent years in the electrical and plumbing trades to require a certain standard of workmanship as a condition of admission which should be uniform for all local unions. In 1903 the Boston local union of the International Brotherhood of Electrical Workers submitted a proposition that the brotherhood create a board which should provide a standard trade examination for all applicants (The Electrical Worker, June, 1894, pp. 110–111).

In 1904 the United Association of Journeymen Plumbers, in session at Birmingham, Ala., acting on a recommendation of the national president, made provision for a national examination committee, which should devise "a proper theoretical and practical examination suitable to the average conditions of the different localities . . . to be accepted by . . . local unions as standard" (Proceedings, 1904, p. 29). See Plumbers, Gas and Steam Fitters' Official Journal, January, 1905, p. 16. The plan was not executed. But again in 1908 the proposal for a national committee was renewed (Proceedings, 1908, p. 76).

[2] Constitution, 1881, Art. IX, Sec. 1.

[3] Constitution, 1898, Art. VII, Sec. 1; Constitution, 1910, Sec. 19.

required as proof of ability to earn standard wages. Eligibility for admission to the Boot and Shoe Workers' Union is thus conditional upon the worker's being actively employed at the craft.[1] The United Garment Workers also require that the candidate "must be employed in the manufacture of garments and working at the trade."[2] The International Union of Steam Engineers provides that each local union may exercise its own discretion as to admitting a candidate who is out of employment.[3]

Different unions and even local unions within the same trade, however, employ different means for determining the competency of candidates. In addition to wage-earning capacity, a fixed term of training or employment is accepted as a qualification of admission.[4] In certain trades, as we have already seen, the fact of having served an apprenticeship under union conditions at once secures full membership for an apprentice.[5] The Painters, Decorators and Paperhangers moreover apply not only wage-earning ability as a test, but also provide that an applicant may not be admitted who is not qualified by having worked three years at the trade.[6] The Lace Operatives' Amalgamated Society describes a competent workman as "one who has served three years at a lace machine."[7] In thus endeavoring to maintain some standard of competency or trade skill as a condition of membership, local unions in practically all trades have to de-

[1] Constitution, 1895, Art. IX, Sec. 2; Constitution, 1908, Sec. 37.
[2] Constitution, 1891, Art. VI, Sec. 1; Constitution, 1903, Art. VI, Sec. 1.
[3] Constitution, 1891, Art. VI, Sec. 1; Constitution, 1903, Art. VI, Sec. 1.
[4] Constitution, 1898, Art. XXI, Sec. 2; Constitution, 1906, Art. XIX, Sec. 2.
[5] The International Association of Machinists makes provision for the use of all three tests: "Any machinist serving an apprenticeship of four years at the trade . . . or who has worked at the trade four years in any of its branches or subdivisions, or is competent to command the minimum rate of wages paid may be admitted to membership in any local union. Such men may be admitted upon . . . passing the examination committee" (Subordinate Lodge Constitution, 1909, Art. I, Sec. 1).
[6] See above, p. 51.
[7] Constitution, 1910, Sec. 19.

termine whether the workman who is a candidate for entrance can secure employment at the prevailing rate of wages, or whether he has served the term of training prescribed as necessary to acquire skill.

Finally, in certain so-called skilled trades it is the practice of some local unions to have each applicant demonstrate his competency by an actual performance of work. The test or examination in some cases is required by a regulation of the national union, but each local union has full power to prescribe the kind of test it chooses. The Typographical Union early insisted that only "practical printers" should be admitted. Since 1889 the local unions have been directed to make a "rigid examination as to the competency of candidates."[1] The Bricklayers' and Masons' International Union in 1897 adopted a rule that a candidate "shall, if complaint is made as to his ability, be compelled to pass a satisfactory examination by a committee of the local union under whose jurisdiction he is working."[2] The International Association of Steam Fitters prescribes that each local branch "shall have a trade test or examining board to examine into the qualification of candidates."[3] The United Association of Journeyman Plumbers in 1906 made a similar stipulation.[4] The Cement Workers' Brotherhood provides that either an "oral or written examination" or a "practical test" shall be given.[5] The examination of candidates with a view to maintaining a standard of proficiency among unionists thus lies in all cases in the hands of the local union. Consequently, there may be in different localities considerable variation within a particular trade in the strictness of tests and in the standard of workmanship demanded for admission.

The examinations as conducted in some instances by local unions in the building trades are designed to prove the can-

[1] Proceedings, 1889, p. 58.
[2] Proceedings, 1897, p. 71.
[3] Constitution, 1900, Art. XVI; Constitution, 1909, Sec. 32.
[4] Proceedings, 1906, p. 49.
[5] Constitution, 1909, Art. III, Sec. 5.

didate's general knowledge and practical ability in performing trade processes. The local unions of bricklayers and masons in a few cities require, besides satisfactory answers to a set of questions, the actual construction of a piece of masonry, either on a contract job or in some place prescribed by the union. Questions are asked concerning the time, place, and kind of previous employment and the previous relations of the candidate to the union. Certain local unions of structural iron workers require the applicant to illustrate important points of workmanship by assembling blocks and materials and by using a miniature derrick. Theoretical and practical examinations are general among the unions of the International Brotherhood of Electrical Workers. Some unions give a written as well as a practical test. Strong unions in the large cities usually set aside a room in which are placed the necessary apparatus and appliances for the experimental work. The time of a test varies from one to three hours.[1] The Wood, Wire and Metal Lathers' unions accept as a competent workman one who is able to drive at least 1000 or 1200 laths in eight hours, which is about half the number which the fastest workman could drive. Sheet Metal Workers' local unions in New York City give a rigid examination by closely questioning the workman and by trying him out "on a permit" in actual shop work.[2] The Bakery and Confectionery Workers in Chicago require the candidate to work in three different shops, and the foreman of each shop reports to the union whether the man is a practical baker. This method is the one most frequently used. The applicant usually has employment, or is given a "permit" to work with unionists

[1] The secretary of the International Brotherhood of Electrical Workers, in June, 1910, estimated that ten per cent. of applicants for admission into the local unions failed to pass the examination. The secretary of Local Union No. 34 of Chicago at the same time estimated that fifty per cent. of its applicants were unable to pass the examination. The writer is indebted to the national officers for the facts in the above paragraph in the case of each union.

[2] The secretary of the Sheet Metal Workers' International Alliance stated that a large proportion of applicants were unable to gain admission into the New York unions.

who may observe his work. Statements or vouchers from the members or from a committee thereof are usually accepted in proof of workmanship.

Investigations and tests are often perfunctory and do not measure accurately the skill of the applicant. The purpose of a test is to maintain a certain standard of ability for entrance into a trade and to prevent a reduction of established wages. In dealing with incompetent workmen who apply for admission, local unions often pursue a policy of expediency, and the examination required is not sufficiently rigid to exclude incompetent persons from the trade. As a matter of fact, the rate of wages is endangered whether the incompetent are admitted or not, since they will most likely accept lower wages as either members or non-members. The consideration that the workman who does not at the time of application conform to the standard of workmanship may, if allowed to become a member, soon acquire competency, also inclines a union to modify the strictness of the competency requirement. At times, however, it has been charged against certain local unions that they use the power of examination to build a wall around their membership and to exclude even competent workmen from the trade.[1]

In a small number of trades a municipal, state, or national

[1] The following examples may be cited as illustrating the comparatively infrequent occurrence of "closed" unions:—

"Some of the locals are looking out for themselves in too narrow a sense. Dazzled by the fact that they are getting higher wages than some other local, whose workmen may be quite as efficient as their own, they seek to exclude such members by forming a trust, putting on a prohibitory fee, and conducting a partisan, partial and unfair examination" (The Electrical Worker, April, 1903, pp. 110–111).

"In some towns when a man comes in . . . the local unions put up an examination and make it so severe that no man on earth could pass it. I believe that the only examining boards that should be recognized by our association are the ones that are recognized by the state or municipality and which a man must pass before going to work" (Proceedings, Plumbers, Gas and Steam Fitters, 1904, pp. 67–68).

"It is a frequent occurrence that either for selfish purposes or . . . when a local union is over-zealous in complying with the rules established, the examination of men who have actually been working in a brewery for some time is made so hard that they cannot pass and [they] are rejected as members" (Brauer-Zeitung, July 11, 1908, p. 1).

government license may be accepted by a local union in lieu of an examination as proof of competency. The plumbers' unions in some cities make use of the examination provided by the city or state examining board.[1] The Steam Engineers' International Union requires as a condition of admission the possession of a license where such may be obtained under law.[2] The Journeymen Barbers advocate the enactment of barbers' license legislation on sanitary grounds and with a view to excluding unqualified workmen from the trade; a license is not, however, required to gain admission.[3] The National Marine Engineers' Beneficial Association is composed solely of licensed workmen. Subordinate associations usually accept the government license as the requisite proof of competency. Cases have occurred, however, in which licensed workmen were not admitted because of incompetency, and their license has been revoked by the protest of the association.[4]

So far, the admission of new applicants alone has been considered. Local authority, subject in many unions to revision by national officers, determines according to circumstances the standard to which each applicant must conform before he may be admitted. When, however, a member of one union with a transfer card applies for membership in another local union, he may not be subjected to the same requirements as are employed in the case of a new applicant. National organization binds the local unions, compelling each to admit on favorable terms the members of another union when in good standing. A local union may at times refuse to accept a transferred member on account of scarcity of employment or on account of race, color, or personal disqualification.[5] But this form of exclusion is con-

[1] Proceedings, 1904, p. 68.
[2] Constitution, 1903, Art. III, Sec. 1.
[3] Constitution, 1910, Sec. 68; Barbers' Journal, February, 1906, p. 14; September, 1906, p. 197.
[4] Subordinate Association Constitution, 1904, Art. III, Sec. 1; Proceedings, 1904, pp. 34–41.
[5] See above, p. 26; below, p. 128.

trary to the spirit of national unity, and is condemned by the national unions.[1]

Variation in grades of workmanship and in rates of wages as between localities is recognized in some trades to such an extent, however, as to permit a modification of the rule of interunion comity in the acceptance of members. It is clearly desirable that a local union should not be required to accept a transferred member who is not competent as measured by its standard. The Bricklayers' and Masons' International Union first adopted an expedient by which a member with a transfer card who was judged incompetent in another locality could be excluded, and yet the rule requiring the interchange of union cards be nominally upheld. A case was brought on appeal to the union in 1888 in which one local union had refused to accept a transfer card held by a workman whom the local union considered incompetent. It was then held that the card must be accepted, but that a member so received who was not a qualified bricklayer or mason could at once be expelled.[2] In 1897 the union empowered the local unions to examine any applicant for membership whose ability as a workman might be questioned.[3] Since that time the policy has been maintained of permitting any union to exclude a transferred member from another union, when after being tested he is considered incompetent.[4]

[1] In a case of refusal of a transfer card in the International Brotherhood of Boiler Makers and Iron Ship Builders the national secretary made the following statement: "If such a principle as this is upheld by this order, then the sooner the order is disbanded the better, because it is the ruination of the principle of unity, and unity is what all organized labor stands on. If this principle of repudiating good cards is upheld, then what is the use of organizing? It will appeal to any man that there is no use" (Boiler Makers' Journal, March 1, 1906, p. 152).

[2] Proceedings, 1888, p. 18.

[3] Proceedings, 1897, p. 71.

[4] Frequent decisions have been made upholding the rule. In 1903 a case of refusal of travelling card by a local union was appealed. The judiciary board of the union held that the card should have been accepted, and that if then there was "positive evidence of his incompetency it would have been much more in keeping with the law to have revoked his membership. This stand could have been taken by

Local unions of the United Association of Journeymen Plumbers exercise discretion as to admitting workmen with cards. The national association denies to the local union the power to examine a transferred member "unless the local has just proof that the clearance card was secured through misrepresentation, illegally or otherwise."[1] Under cover of this exception the practice prevails of excluding any transfer applicant when local conditions justify such refusal.[2] The Bridge and Structural Iron Workers' International Association provides that the reexamination of a member with a card is optional with the local union.[3] The Steam Engineers require conformity with local requirements as to competency and license laws.[4] The Steam Fitters[5] and the Electrical Workers[6] require a member of less than three years' standing, desiring to transfer from one local union to another, to pass the examining board of the local union to which application is made, even though an examination was passed in the local union of which he was formerly a member. The development of this practice of modifying the rule of exchanging cards for the purpose of maintaining local standards of workmanship emphasizes the absence of any standard of skill.

trying him on the work only. Failure on your part to accept his card would subject your union to discipline" (President's Report, 1901, p. 185).

[1] Proceedings, 1906, p. 95.
[2] Proceedings, 1908, p. 72.
[3] Constitution, 1910, Sec. 84.
[4] Constitution, 1906, Art. XIV, Sec. 1.
[5] Constitution, 1906, Sec. 34.
[6] Constitution, 1901, Art. XIV, Sec. 4.

CHAPTER IV

ADMISSION OF WOMEN

The entrance of women into modern industrial life is traceable directly to their activities in the family. After the introduction of machinery and the rise of the factory system, certain processes, such as spinning and sewing, which had been carried on by women at home, were assumed by them in the factory. Moreover, since machinery frequently reduced the amount of physical strength or skill required in specific processes, the substitution of women for men was made possible in new lines of work. The low rate of wages at which women might be employed tended to render profitable their increasing employment.[1]

The increasing number of women in certain trades has been a subject of grave concern to the organized workmen in those trades. This anxiety has been due to the low rate of remuneration of the women and the threatened displacement of the men. The attempts at the solution of this problem may be conveniently considered under three periods: (1) 1830 to 1860; (2) 1860 to 1880, and (3) since 1880.

In the first quarter of the century women formed the bulk of the factory operatives of the expanding manufactures of

[1] Exact comparisons between the extent of the employment of women in gainful occupations today and during the first half of the last century are impossible, owing to the fragmentary data of the early period. The census of manufactures which was taken in 1850 showed 235,922 women and 731,317 men employed in industries in establishments whose annual product was valued at $500. The last census (1905) does not furnish statistics exactly comparable with the earlier figures. But of the 6,157,571 persons employed in manufactures in 1905, 1,194,083 were women. The figures indicate that fewer women in proportion to the number of men are now employed; yet the number of women employed has increased more than five fold (U. S. Census, 1850, "Digest of Statistics of Manufactures," p. 143; Census of Manufactures, 1905, Pt. I, p. xxxvi).

New England.[1] The number of occupations into which women were entering at this time appears also to have been increasing.[2] Female laborers soon participated in the new labor movement of the time.[3] During the thirties female cotton-mill operatives, tailoresses, seamstresses, umbrella sewers, shoebinders, and bookbinders in the large towns and cities entered vigorously into short-lived societies and occasionally participated in prolonged strikes.[4]

The attitude of men trade unionists toward the female workers varied from trade to trade largely according to the extent to which women were established in the particular trades. When women were beginning to enter a trade in competition with men, they met the open hostility of the men, but when women were already employed in any trade, the men promoted organization among them in order to prevent a lowering of wage rates. Thus as early as 1819 the journeymen tailors of New York went on strike to prevent the employment of women; and again, in 1836 the New York tailors' society struck against an employer "because he employed a female."[5] In the printing trade at this time women were principally engaged at bookbinding, but in some places they were also being introduced as compositors. In Boston in 1835 the men "most ungallantly turned out for the purpose of driving the girls from the business of setting types."[6] At this time the Philadelphia and Washington

[1] Martineau, Society in America (1837), Vol. II, pp. 227, 243; Vol. III, pp. 148, 149, 150; Thirty-third Report, Bureau of Statistics of Labor, Massachusetts, 1902, pp. 136–137.

[2] Miss Edith Abbott, in Women in Industry (p. 66), states that "from 1820 to 1840 it appears that, instead of seven, there were more than one hundred industrial occupations open to women."

[3] The tailoresses of New York in 1825 and the factory girls of certain towns in New England in 1828 and 1829 formed protective organizations and engaged in strikes in their own behalf (Andrews and Bliss, "History of Women in Trade Unions," S. Doc. No. 645, 61st Cong., 2d sess., pp. 21, 22, 23).

[4] Andrews and Bliss, pp. 36, 40, 41, 44, 45. In 1834 a society of female shoe-binders of Lynn, Mass., successfully maintained prices for work, and sent delegates to the Central Trades' Union of Boston (The Man, March 12, 1834, p. 3. Reprinted in Commons and Sumner, Vol. VI, p. 90).

[5] Andrews and Bliss, p. 46.

[6] Andrews and Bliss, p. 46.

societies of printers expressed clearly their fear and dislike of a proposed employment of women compositors in each of these cities.[1] In the shoe trade and in the manufacture of cotton goods women were firmly entrenched in certain departments of the work, and apparently competed but slightly with men. In each of these trades the men unionists were accordingly found encouraging the organization of the female workers.[2]

Most representative of the prevailing trades-union opinion of the period was probably the attitude of the National Trades' Union. The members of the New York session of 1835 deplored the increase in the employment of women at less than a "fair remuneration," and recommended to laboring men "throughout the United States to oppose by all honest means the multiplying of all descriptions of labor for females, inasmuch as the competition it creates with the males tends inevitably to impoverish both."[3] In 1836, at the third annual session, a special committee on female labor commented on "the injurious tendencies the introduction of the female system has upon the male operatives," and reported that twenty-four of the fifty-eight societies composing the Philadelphia federation of labor were "seriously affected by female labor to the impoverishing of whole families, and benefit of none but the employers." The convention recognized organization as the only "hope of redress," and suggested that either mixed or separate female societies should be organized.[4]

[1] Printers' Circular, August, 1867, pp. 267, 268; December, 1869, p. 365.

[2] A national convention of journeymen cordwainers in New York in March, 1836, recommended to the different societies therein represented "the propriety of encouraging the formation of societies of the females working at boot and shoe binding and cording for the purpose of increasing their wages" (National Laborer, April 2, 1836. Cited in Andrews and Bliss, p. 46). See also Proceedings of National Trades' Union Convention, 1836. Reprinted in Commons and Sumner, Vol. VI, p. 288.

[3] National Trades' Union (New York), October 10, 1835. Reprinted in Commons and Sumner, Vol. VI, pp. 250. 251, 257, 258.

[4] A special resolution urged the formation of societies among females in order "to prevent the ruinous competition which now

At intervals during the forties women wage-earners did undertake separate action, engage in strikes, and occasionally form trade organizations.[1] Yet the admission of women into the men's unions must have been infrequent. The local typographical societies continued to maintain a hostile attitude toward female printers.[2] In 1854 the National Typographical Union voted down a resolution "discountenancing the employment of females," but took the position that it should not "encourage by its acts the employment of females as compositors."[3] In 1856 the Boston union of printers considered a resolution threatening to discharge any member found "working in any office that employs female compositors."[4] The period from 1830 to 1860 is therefore characterized by the formation of sporadic organizations and by intermittent movements in the interest of labor in which the participation of women was represented in some cases by separate action on their part, in others by reluctant cooperation on the part of working men in the plan of organizing women.

Industrial expansion continued, however, to extend the opportunities for the employment of women. The census of 1860 showed that about one quarter of the factory employees of the country were women, while in 1870 about the same proportion was found.[5] The interest in labor organization which developed after the Civil War accordingly led to renewed attention being paid to the position of women in industry.[6] The National Labor Union Congress at its

exists by the labor of females being brought into competition with that of males" (National Laborer, November 12, 1836, pp. 133, 134. Reprinted in Commons and Sumner, Vol. VI, pp. 279, 281, 283, 288).

[1] Andrews and Bliss, pp. 58–61.

[2] Barnett, pp. 311, 312.

[3] Proceedings, 1854, pp. 12, 27, 28.

[4] Andrews and Bliss, p. 57.

[5] Eighth Census, 1860, Manufactures, p. 729; Ninth Census, 1870, Industry and Wealth (Manufactures), pp. 392, 393.

[6] The International Industrial Assembly, which held its only convention in Louisville, Ky., in 1864, commended the action of certain local trade organizations in forming unions among women in the clothing trade, and recommended the prosecution of that work in other cities (Fincher's Trades' Review, October 15, 1864. Reprinted in Documentary History of American Industrial Society, Vol. IX,

first session in Baltimore in 1866, and again at Chicago in 1867, set forth the attitude of the laboring class, which it held had been misrepresented, upon the subject of female labor. Workingmen were excused for objecting to the introduction of female labor "as a means to depreciate the value of their own," and the principle of equal pay to men and women for the same service was endorsed. As a method of reforming "the iniquitous system" of competition, the congress agreed upon the necessity of forming labor associations of women.[1]

In order to judge the extent of the participation of women in the trade movements of this period, it is necessary to understand the policy of national organizations of workmen and the practice of local bodies within such organizations. The organized trades which at this time included considerable proportions of women were printing, cigar making, sewing, garment making, boot and shoe making. The policy of the unions in these trades will be briefly reviewed.

In the late sixties the increasing number of women who were being employed, mainly in city newspaper offices, as compositors and distributers of type, their low wages, and the displacement of men by women "strike-breakers," again brought the problem of female labor forcibly to the consideration of the Printers. None of the local unions had yet admitted women to membership. At the session of the national union in 1867 a committee, which was authorized to "report a plan to regulate and control female compos-

edited by Commons and Andrews, p. 123). At this time working women in the cigar making, clothing, sewing, textile, and printing trades were to some extent engaged in separate organized activities in their own behalf (Andrews and Bliss, pp. 91–104).

[1] Report of Committee on Address to National Labor Congress. Reprinted in Commons and Andrews, Vol. IX, pp. 156, 157. These female labor organizations were represented by women delegates in the second session of the National Labor Union in 1868. Miss Kate Mullaney, chief directress of the Collar Laundry Working Women's Association of Troy, N. Y., was commended "for her indefatigable exertions in the interests of working women." Female delegates attended the session again in 1869 and in 1870 (Commons and Andrews, Vol. IX, pp. 195, 227, 228, 257, 258).

itors, so that ladies in the business may benefit themselves and inflict as little injury as possible upon printers," declared that lack of organization was responsible for the low wages paid to women, and recommended that the local unions should either admit women or organize them into separate subordinate unions. The national union, however, took the position that each local union should be left free to decide its policy for itself.[1] The Chicago local union in 1869 and the Kalamazoo, Detroit, and Philadelphia local unions in 1870 admitted their first women members.[2] The International Union in 1869 amended its constitution so that women's unions might be chartered with the consent of the union of male printers in any locality. In 1871 the local unions were urged to unionize women printers either by the method of separate organization or by admission.[3] A women's union which had been chartered in New York in 1869 was not prosperous, and the men's union in that city was imperiled on account of the failure of the women to maintain the union scale of wages. The men endeavored several times to have the charter of the women's union revoked before it was finally surrendered in 1878. Earlier in the seventies the International Union decided to issue no more charters to women's unions. This decision left the admission of women into men's unions the only method of controlling female printers, and in many cases women were admitted to membership in the local unions. The International Union favored the policy of admission and urged local unions to admit women, yet for several years each local union remained free to decide for itself whether women might become members.[4]

The second organized trade in which women had been employed to a considerable extent before 1860 was cigar making. During the early half of the century women had engaged in cigar making, first in their homes and then in

[1] Proceedings, 1867, pp. 30, 52, 57.
[2] Printers' Circular, April, 1870, pp. 66, 151.
[3] Proceedings, 1869, pp. 8, 23, 39, 41; Proceedings, 1871, pp. 33, 61.
[4] Barnett, pp. 314, 315.

factories. But it is not possible to ascertain their relation at this time to the unions in the trade. It seems probable, however, that the women had no part in the local unions of cigar makers which united in 1864 to form a national organization. In that same year, however, a Ladies' Cigar Makers' Union was formed in Providence, Rhode Island.[1]

The census of 1860 showed that only 731 women as against 7266 men were employed in cigar making. Before the close of the ensuing decade the proportion of women in the trade greatly increased. In 1863 girls and women are reported as being employed in considerable numbers in Philadelphia and New York. Machines or molds, which at this time had been introduced into the trade, made possible the increased employment of women. The Cigar Makers' International Union at its second convention in 1865 prescribed that only males should be eligible for membership.[2] The question of the right of a woman to work in a union shop was brought before the union in 1866 and debated at length, but the session reached no decision.[3] Women are reported to have been used to break a strike of cigar makers in New York in 1869. In Cincinnati in 1870 the places of men, who had struck against the introduction of molding machines, were filled by female workers.

Before the close of the decade following 1870 there was a large increase in the number of women cigar makers employed throughout the country.[4] The national union in

[1] Andrews and Bliss, p. 92.

[2] MS. Proceedings, 1863, p. 60. Miss Edith Abbott states that the sex qualification for admission to membership was removed in 1867 (p. 206). Similarly, J. B. Andrews asserts that the Cigar Makers altered their constitution in 1867 to admit women (Andrews and Bliss, p. 92). This is an error. Cf. MS. Proceedings, 1867, p. 156; Constitution, 1867, Art. XIII, Sec. 1. See also Cigar Makers' Official Journal, June, 1878, p. 1.

[3] MS. Proceedings, 1866, p. 113.

[4] The rapid increase in the number of female cigar makers is shown by the following table:

	1860	1870	1880
Men	7266	2615	9108
Women	731	21409	40099
Children under 16		2025	4090

Twelfth Census (1900): Manufactures, Pt. III, p. 648.

1875 ceased to debar women by providing that "no local union shall permit the rejection of an applicant for membership on account of sex or system of working." This change of policy was the occasion of the withdrawal of several local unions from the national organization. The Cincinnati and Baltimore local unions, which were bitterly opposed to the entrance of women into the trade and were unwilling to change their rules so as to admit them, remained outside the national union for several years.[1] In 1877 women were employed in large numbers to break the great strike of cigar makers.[2] In 1878 the national president reported that nearly four thousand women were employed in the cigar factories of New York, and said, "This state of affairs can not be altered, it is better to unite than strike against them, because the latter course would prove futile, the employment of women having increased in an alarming proportion."[3] It seems that women had not up to this time been admitted to the unions in large numbers, but the national union thereafter continued to advocate the organization of women.

From 1860 to 1880 garment making and boot and shoe making also gave employment to considerable proportions of women. According to the census of 1880, the number of women employed in these trades had greatly increased.[4] The clothing cutters of New York in 1855 made the first movement toward the formation of labor unions in the ready-made clothing industry. Similar local organizations in other branches of the industry were formed at intervals thereafter, but usually included only the highly skilled workers.[5] But with the exception of a few short-lived unions of sewing women in Massachusetts and New York,

[1] Cigar Makers' Official Journal, May, 1878, pp. 1, 2; July, 1878, p. 1.
[2] First Annual Report Ohio Bureau of Labor Statistics, 1877, p. 201; Abbott, pp. 197, 198.
[3] Cigar Makers' Official Journal, May 10, 1878, p. 1.
[4] Tenth Census, 1880, Vol. XX, p. 15; Compendium, Ninth Census, 1870, p. 802; Compendium, Tenth Census, 1880, pp. 834, 835.
[5] The Garment Worker, Vol. V, No. 4, pp. 18–20.

formed under the care of the men's local trade organizations, women are not known to have taken any part in the labor organizations of the trade until the eighties.[1]

The first national organization of shoemakers was the Knights of St. Crispin, which flourished from 1867 to 1874. The objects of the order were declared to be "to protect its members from injurious competition and secure thorough unity of action among all workers on boots and shoes in every section of the country." Local lodges of "Daughters of St. Crispin" were also formed by women shoemakers in certain cities.[2] The program of the Knights of St. Crispin included the restriction of the employment of new competing classes of cheap labor.[3] Frequent strikes against "green hands" occurred, and members were forbidden to teach any part of the trade to new hands, except by permission of a local lodge. The employment of women was thus opposed in so far as unskilled female labor was replacing men in the factories. At this time, however, women were not competing with men in the principal processes of boot and shoe making; for the most part, the women were performing with machines the operations which they had formerly done by hand at home.[4] The Grand Lodge of the Knights of St. Crispin in session at Worcester, Massachusetts, in 1869 extended to the working women who had joined the order of Daughters of St. Crispin "full support in all honest efforts to improve their social or material condition." But women were denied admission to the men's lodges by the national constitution adopted at Boston in 1870.[5]

[1] Fincher's Trades' Review, October 15, 1863, p. 60. Reprinted in Commons and Andrews, Vol. IX, p. 123; Herron, "Labor Organization among Women," in University of Illinois Studies, Vol. I, No. 10, p. 16; Willet, "The Employment of Women in the Clothing Trades," in Columbia University Studies, Vol. XVI, No. 2, pp. 330, 331.

[2] Report of Massachusetts Bureau of Statistics of Labor, 1880, p. 32; Cigar Makers' Official Journal, March, 1878, p. 1.

[3] McNeill, The Labor Movement, pp. 201, 202.

[4] Abbott, p. 173.

[5] Constitution, 1870, Art. XVI. Sec. 1; Constitution of Subordinate Lodges, 1870, Art. X; Lescohier, pp. 28, 38, 69, 76.

The same development in policy shown in the four trades in which women were largely employed is found in the Knights of Labor. At the third regular session of the general assembly in 1879 the grand master workman in his report directed attention to the fact that production by machinery had resulted in the displacement of men by women and children, and declared that a statement of policy should be formulated on the subject. As a practical measure a proposition was made to admit women to membership and to permit them also to form separate assemblies, but although approved by a majority it failed of adoption for lack of the two-thirds vote required.[1] In 1880 the proposition was adopted.[2] Women were thus granted the opportunity to organize, and contemporary accounts show that thereafter many of them became members.[3]

To sum up, it may be said that the policy of labor organizations with reference to the affiliation and membership of women in 1880 represented a considerable advance over that of 1860. General federations and trade unions which formerly had been either indifferent or hostile to women workers recognized that women occupied a permanent place in industry, and were favorable to their organization. As has been noted, the National Labor Union and the Knights of Labor and the national unions of printers, cigar makers and boot and shoe workers sanctioned either the separate organization of working women or their admission into the men's unions. It is impossible to ascertain even the approximate membership of women in trade organizations at this time. But it seems to have been small, and their participation in the affairs of the unions comparatively slight.

In the period since 1880 industrial growth and the widening use of mechanical processes have made possible a constantly larger utilization of the labor of women workers in

[1] Proceedings, 1879, pp. 99, 125.
[2] Proceedings, 1880, pp. 192, 226.
[3] Tenth Report, Bureau of Statistics of Labor and Industries, New Jersey, 1887, pp. 24, 25. The 231 local assemblies of the Knights of Labor in New Jersey, with a total membership of 40,172, had 4400 women members (Ely, The Labor Movement, pp. 82, 83).

many branches of production. Labor organization has also been extended to a larger number of trades than in any previous period. The problem of female labor has thus attained a greater importance, and the part which women have had in labor organization has been increasingly prominent.

The American Federation of Labor has constantly declared that its purpose is to unite the laboring classes without regard to color, sex, nationality, or creed.[1] Organizers and officers of the Federation have actively promoted unionism among working women; women delegates are present at the conventions, and local unions of female workers have in some cases been directly affiliated with the Federation.[2] The organization of women, however, concerns the trade unions directly interested rather than a federation of the unions. The extent of the participation of working women in labor organizations in recent years may, therefore, best be determined by surveying the existing regulations and practices of the different unions with reference to women workers.

A large proportion of the national trade unions are not concerned with the problem of female labor. Women are excluded from several important groups of occupations by lack of physical strength. They are thus prevented, for example, from entering the building, transportation and engineering, mining, metal, machine, and wood working groups of trades, and such miscellaneous trades as horse shoeing, glass blowing, brick making, and brewing. Unions which are concerned with women workers are principally in the following groups of trades: printing, manufacturing

[1] Annual Report of President, Proceedings, American Federation of Labor, 1887, p. 10; Proceedings, 1888, p. 15.

[2] Herron, p. 48. Women employed in pottery warehouses were in 1901 organized into an independent local union of the American Federation of Labor (Proceedings, Operative Potters, 1901, p. 6). Secretary Morrison of the American Federation of Labor informs the writer that in December, 1911, there were affiliated directly with the American Federation of Labor seventeen local unions composed exclusively of women. These were employed in miscellaneous trades, and included button makers and factory operatives. Nine of the seventeen were in Porto Rico.

of tobacco products, textile, clothing, pottery, bakery, upholstery, musical and theatrical professions, hotel and restaurant work, retail trade, clerical work, and meat packing. The unions in these trades may be divided into two classes according as they restrict or encourage the organization of women.

Only a small number of national trade unions at the present time entirely forbid the admission of women. The Barbers,[1] the Watchcase Engravers,[2] and the Switchmen[3] have for a number of years entirely excluded women from membership. In recent years female labor has been introduced into core making, which is a branch of the molding trade.[4] In 1907 the Molders resolved to seek "the restriction of the further employment of women labor in union core rooms and foundries, and eventually the elimination of such labor in all foundries."[5] Since that time the penalty of a fine of fifty dollars or of expulsion has been provided if any member gives instruction to female laborers in any branch of the trade.[6] The rule of the national union prescribing the classes of persons eligible for membership has not been changed, so that only men are admitted.

The Operative Potters, Upholsterers and Paper Makers admit women employed in certain branches, but not those employed in others. For example, female pottery operatives employed in decorating, finishing off, and wareroom work are encouraged to become members, but the union has endeavored to exclude women from the main branches of the trade, in which men are employed.[7] Local unions of the workmen in these branches of the trade do not admit women. The Upholsterers admit women only when they

[1] Constitution, 1902, Sec. 65.
[2] Constitution, 1906, Art. VIII, Sec. 6.
[3] Constitution of Subordinate Lodges, 1905, Sec. 141.
[4] The employment of women to make light iron and steel cores was noted first for New York State in 1899 (Seventeenth Report, New York Bureau of Labor Statistics, 1899, p. 10). In 1897 the Boston Core Makers threatened to strike on account of the employment of girls (Industrial Commission Report, Vol. XVII, p. 48).
[5] Proceedings, 1907, p. 56.
[6] Proceedings, 1907, p. 51.
[7] General Laws, 1905, Sec. 148.

are employed as seamstresses.[1] The Paper Makers similarly permit female workers only in certain specified branches to become members, and this only at the discretion of a subordinate union.[2]

In all of the trades restricting the admission of women the number of women employed is small. The number of women engaged in the molding trades who are eligible by training to join the union is estimated by union officials at about one thousand. The number of female barbers is probably not greater. The unions consider it wise to discourage the further entrance of women into employment by withholding from them the protection of union membership. This restrictive policy, as we have seen, has usually been pursued by organized workmen when first meeting the competition of women.

The remaining twenty-five or more unions in trades where women are employed to a considerable extent, encourage the organization of women workers. In the trades represented by these unions women are employed in widely different proportions. The necessity for organizing women and the activities of the organized women vary widely, therefore, in these trades. In order to describe clearly the policy of these unions with reference to the organization of women and to understand the reasons prompting the adoption of a liberal admission policy, this group of unions may be conveniently subdivided into two classes according as the unions are in trades in which men compose the major part of the labor supply and perform the principal trade processes, or are in trades in which women form a large and important element of the labor supply and compete or control in the important branches of work.

[1] Since 1898 the brotherhood has encouraged women to become members by offering to admit them for half the regular initiation fee (Proceedings, 1898, p. 37). Local Rules, 1910, Sec. 109, reads: "In locals where females are admitted the initiation shall be one-half the regular initiation fee, or $1.50 for females." In 1910, according to the secretary, there were about 100 women members. These were employed in the finishing departments, and did not compete with the men.

[2] General Laws, 1906, Sec. 4.

The first class of unions includes the Printers, Cigar Makers, Boot and Shoe Workers, Meat Cutters and Butcher Workmen, Travelling Goods and Leather Novelty Workers, Bakers and Confectionery Workers, Potters, Metal Polishers, Buffers, Platers and Brass Workers, Retail Clerks, Musicians, Wood Carvers, Commercial Telegraphers, Shingle Weavers, Post Office Clerks, Brewery Workers, United Hatters, Box Makers and Sawyers, Paper Makers, and Upholsterers. In each of these trades the men are more numerous, and women usually compete only in that part of the work which is quickly and easily learned, in operating light machinery, and in doing supplementary work which does not require great physical strength. Thus in the printing trade, women have been for the most part employed in setting and distributing type. In cigar making, women were first employed to strip leaves and break bunches of tobacco, work which was preparatory to the filling and the finishing of the cigars by journeymen. More recently female employees have been extensively used to operate wrapper cutting, bunch making and rolling machines. In the manufacture of boots and shoes women are employed chiefly in fitting and sewing shoe uppers, work formerly done by hand but now by machines. In the brewery trade, women are found only in the bottling division; in meat packing they compete mainly in the work of packing, canning, painting, and labeling. In a similar manner women's work has been utilized in other trades of this class. The problem confronting the men's trade unions has been how to avoid the hurtful competition of female labor in certain branches of the trade.

As has been pointed out, the Printers and the Cigar Makers for a long time did not permit women to become members of the union, and endeavored in this way to exclude them from the trade. In the seventies both unions abandoned this policy, and began to promote organization among women as a means of protection against their hurtful competition. In 1884 the Typographical Union upheld a de-

cision of the president that a local union could not reject an applicant on account of sex.[1] In 1881 the president of the Cigar Makers strongly advised local unions, in view of the constantly increasing employment of women, "to extend the hand of brotherhood to them, and labor to organize them," and added: "Better to have them with us than against us. . . . They can effect a vast amount of mischief outside of our ranks as tools in the hands of the employer against us."[2] The union has since sustained the president and executive board in enforcing the rule in all cases where local unions have denied admission to women.[3]

In contrast with the restrictive policy of the Knights of St. Crispin, the Boot and Shoe Workers' Union since 1895 has admitted persons working at the trade regardless of sex.[4] In 1899 the secretary of the Meat Cutters and Butcher Workmen directed the attention of the union to the fact that women were already an important element in the meat packing industry, and that the question must be met.[5] Women in the trade were, however, not admitted until 1902, when the female employees in the Chicago packing-houses formed a local union and secured a charter. At this time the national secretary declared: "It is useless . . . to attempt to stem the tide of female workers. It now rests with us to bring them into our organization. . . . To see that they are affiliated with us . . . and that we extend to them the protection which thorough organization affords . . . is a duty which we cannot shirk without grave danger to ourselves."[6] In 1900 a local union of the Metal Polishers, Buffers, Platers and Brass Workers desired to admit to membership the women employed in the watch case fac-

[1] Proceedings, 1884, pp. 20, 104.
[2] Cigar Makers' Official Journal, October, 1881, p. 4.
[3] Proceedings, 1887, p. 8; Cigar Makers' Official Journal, July, 1894, p. 2; August, 1894, p. 2.
[4] Constitution, 1895, Art. XX, Sec. 1.
[5] Proceedings, 1899, p. 27.
[6] Proceedings, 1902, p. 23; Official Journal, Meat Cutters and Butcher Workmen, February, 1903, p. 21; Commons, "Labor Conditions in Meat Packing and the Recent Strike," in Quarterly Journal of Economics, November, 1904, p. 21.

tories in Philadelphia so that the danger that they would take the men's places in time of strike would be minimized. The president of the national union reluctantly consented that the local union should make suitable regulations for organizing the women.[1] In 1903 the International Association of Wood Carvers voted down a resolution providing that union members should not take work from a carving machine operated by a woman, and instead recommended that women competent to receive the prescribed wage should be entitled to membership and receive the same consideration as was shown to men.[2] From this survey it will be seen that the unions of this class have been guided purely by expediency in shaping their policy. For protection against the competition of female workers when it grows hurtful, the men's unions favor the affiliation of women.

The second class of unions which favor the organization of women, that is, the unions in which women are a large part of the workers and compete in the more important processes, includes the United Garment Workers, the United Textile Workers, the Tailors, the Laundry Workers, the Glove Workers, and the United Cloth Hat and Cap Makers. The work of these trades in most of their branches has always been regarded as peculiarly suited for women, and women have generally constituted such a large part of the labor supply as to cause the trades to be known as "women's industries."[3]

The men's tasks are usually heavier and in some cases require more skill than those of the women, yet women are engaged even in the most difficult branches of the trades. Thus in the early manufacture of cloaks the skilled work of cutting was done by a woman.[4] After an elaborate inves-

[1] Proceedings, 1900, p. 14.
[2] Proceedings, 1903, p. 51.
[3] According to the Twelfth Census, the clothing industry in 1900 employed 243,932 women, 138,654 men, and 6489 children (Manufactures, Pt. III, p. 261).
[4] Pope, pp. 17, 28. Pope states without citing his authority that "in the early period of the industry women were often employed as cutters in the manufacture of both men's and women's clothing."

tigation of the employment of women in the clothing trades in 1903, Mrs. Willet made this report: "There is, perhaps, no branch of the trade in which women are not to be found. Even in the pressing of coats, which is extremely heavy work, the exhausting effect of which is frequently noticeable on the men engaged in it, I have found women employed. But it is possible to visit hundreds of establishments without finding a woman doing this work."[1] The problem of female labor has accordingly presented itself in its most general form to the unions in the textile, clothing, and allied trades. The wide extent of the employment of women has made the problem of eliminating the hurtful competition of women one of interest to all the workmen in the trade, and furthermore it has increased the difficulty of organizing the women.

Labor organization in the clothing and textile trades prior to the eighties was chiefly confined to local movements in which women only occasionally appeared.[2] The number of women in National Trade Assembly No. 231, Cloth Cutters, Trimmers and Tailors, Knights of Labor, organized in 1888, seems to have been very small. During its seven years of existence three women's local assemblies affiliated with it, and two women were delegates at the fourth session, and three at the fifth session of the national assembly. Women had no part in the formation of the Garment Workers' Union in 1891. Before the close of that year, however, 3 out of the 24 local unions chartered were composed of women. In 1902 the union was composed of 179 local bodies, of which 83 were made up of men only and 96 of women, or of both men and women.[3]

The International Union of Textile Workers was formed in 1891 out of independent trade organizations. Until very recently it included only the few skilled workmen in the tex-

[1] Willet, p. 67.

[2] The Tailors' National Union, formed in 1871, dissolved in 1876 (Industrial Commission Report, Vol. XVIII, p. 64). The present national organization of tailors dates from 1883. The Tailors seem not to have admitted women in the early years of their organization. The Mule Spinners were organized in 1889, but did not admit women.

[3] Herron, p. 39.

tile trade.[1] The Ladies' Garment Workers, the Shirt, Waist and Laundry Workers, the Glove Workers, and the Cloth Hat and Cap Makers' unions, all formed since 1900, have from the beginning included considerable numbers of women. But the union movement in these trades has enlisted a disproportionately small part of the total number of women workers. The union officials complain that the difficulty with which the women's interest in their trade unions is maintained and their willingness to work at low wages retard the growth of unionism among them.[2]

Some of the unions make special concessions to women in order to induce them to join. In some cases, for instance, the initiation fee and regular dues are made lower for women members than for men. Until 1903 the United Garment Workers provided that women applicants might be charged only half the regular initiation fee. The Potters,[3] the Paper Makers,[4] and the Cloth Hat and Cap Makers[5] thus also provide for a reduction of the fee for women. The Travellers' Goods and Leather Novelty Workers[6] and the Retail Clerks[7] have charged their female members lower regular dues than are required of the men. Women are also not strictly required to attend the union meetings. Social attractions have been introduced as a feature of union meetings to retain the interest of the indifferent.[8]

[1] Constitution, 1898, Art. XIX, Sec. 2; Constitution, 1903, Art. XIX, Sec. 2.

[2] The Union Boot and Shoe Worker, Julv, 1906, p. 34; Proceedings, Cigar Makers, 1883, p. 4; Tenth Report, Bureau of Statistics of New Jersey, 1887, pp. 14, 15; Proceedings, Bookbinders, 1896, p. 17.

[3] Local Rules, 1910, Sec. 108.

[4] General Laws, 1906, Secs. 24, 48.

[5] Constitution, Art. XV, Sec. 1.

[6] Constitution, 1903, Art. VI, Sec. 1.

[7] Retail Clerks' International Advocate, October, 1905, p. 17.

[8] As to this side of union activities, Mrs. Willet says: "Unless through practical compulsion from without I doubt whether any woman's union has maintained itself with a large membership for a considerable number of years without the aid of dances, card parties and social gatherings of other kinds. The greater care with which social bonds are developed in small towns and cities accounts largely for the greater activity of the unions located in small places" (p. 195).

Another difficulty in the way of maintaining successful organizations of working women arises from the inevitable tendency toward a disparity in the wages of men and of women. Ordinarily a woman does not enter a trade to master its branches, but is likely to become efficient at only one or two of its parts. Lack of physical strength to perform heavy work, the shorter period of industrial life, and the weaker bargaining power of women combine to keep women's wages low. This fact constitutes a persistent problem to unionists after women have been organized. Thus, for example, members of the New York "Women's Typographical Union," chartered in 1868, were unable to secure employment at the standard rate of wages. The Printers soon ceased to provide for chartering women's unions in order to avoid the danger to the wage scale. They have continued to favor the admission of women into men's unions, where one scale of wages may be enforced.[1] In 1903 the Travellers' Goods and Leather Novelty Workers provided that women should receive journeymen's pay for journeymen's work.[2] The unions insist upon the doctrine of "equal pay," and endeavor consistently to enforce rules to that effect.

While the national unions have thus promoted organization by urging the admission of women, by granting separate charters, by offering special inducements, by reducing fees and dues, and by demanding equal wages and conditions for women, the local unions ordinarily have final control in admitting members. The liberal policy of the national union may, therefore, be disregarded by the action of a local union in denying admission to women applicants, in refusing its consent that a separate charter be granted, or in rejecting female applicants holding transfer cards. Cases of such action by local unions have, however, not been frequently brought to the attention of the national unions. The International Typographical Union in 1884 held that a subordinate union could not reject an applicant

[1] Barnett, pp. 314, 315.
[2] Constitution, 1903, Art. V, Sec. 7.

on account of sex.[1] The Cigar Makers in similar disputed decisions have repeatedly reversed the action of the local unions.[2] The right of a rejected applicant to appeal to the national union against rejection, which is expressly provided for in a few and permitted in many unions, tends to eliminate any divergence of this sort between local and national union policy.

Owing to the fragmentary character in some cases, and the entire absence in others, of statistics distinguishing the male and female union members, it is impossible to state the exact membership of women in national trade unions. Available estimates for particular trades and localities, however, warrant the conclusion that women form but a very small part of the total number of unionists. Only eight unions, the Bakery and Confectionery Workers, the Brewery Workmen, the Bookbinders, the Cigar Makers, the Typographical Union, the Glove Workers, the Laundry Workers, and the United Garment Workers, are officially estimated to have each more than one thousand women members.[3] Even in the clothing trades, where a large number of women unionists might be expected in view of the large proportion of women to men employed, the facts do not bear out the expectation. For example, the garment trade in 1900 included 120,950 wage earners, of whom 69,862, or 57.8 per cent., were women.[4] The proportion of women in the union is estimated to be about 26,000 out of 78,000 members, or 30 to 35 per cent. Again, the glove trade in 1900 employed 14,436 workers, of whom 9754 (or

[1] Proceedings, 1884, pp. 20, 104.

[2] Proceedings, 1887, p. 8; Cigar Makers' Official Journal, July, 1894, p. 2; August, 1894, p. 2.

[3] The following estimates, made for the writer by the president or secretary of each of these unions, show approximately the number of women members: Bakery and Confectionery Workers, 1000; Brewery Workmen, "about 1200 or 1500;" Bookbinders, 2500; Cigar Makers, "about 4000;" Typographical Union, "perhaps 5000;" Glove Workers, 1200; Laundry Workers, 5500; United Garment Workers, about 26,000.

[4] Twelfth Census, Manufactures, Pt. III, p. 267.

67.3 per cent.) were women and 280 were children.[1] Women constitute about two thirds of the membership of the union. For some years the New York Bureau of Statistics has collected statistics of membership directly from local unions. The data thus obtained are the most comprehensive in existence relating to the subject of women trade-union members. These figures show that from 1894 to 1908 the proportion of women to all trade unionists has actually fallen off from 4.8 to 2.9 per cent.[2]

An explanation of the ineffectiveness of women as trade unionists involves certain personal and economic considerations peculiar to the employment of women. First, the wage question ordinarily does not present itself as likely to be an important question throughout the life of a woman. The expectation of marriage causes most women to look upon the period of industrial employment as temporary, and this feeling naturally results in an unwillingness to expend time, energy, and money in building up an organization from which they expect to derive advantages for only a few years. For similar reasons, sickness, death, and out-of-work benefits, which are recognized as a force in holding together men's unions, appeal less strongly to women than to men. Second, women lack the courage and aggressiveness requisite for encountering employers, and for demanding any desired measure. Unionists have asserted in some cases that it is the submissiveness and docility of women which recom-

[1] Twelfth Census, Manufactures, Pt. III, pp. 784, 786, 792.

[2] The proportion of women to all trade unionists shows a decrease in 1908. Since 1901 the proportion has decreased steadily until 1907 when a slight increase was registered. In 1908, however, the percentage decreased from that of 1907.

Year	Percentage	Year	Percentage
1894	4.8	1902	4.7
1895	5.6	1903	3.7
1897	3.4	1904	3.3
1898	4.4	1905	3.2
1899	4.0	1906	2.9
1900	4.8	1907	3.3
1901	5.3	1908	2.9

Twenty-Sixth Report, New York Bureau of Labor Statistics, 1908, pp. xlvii–xliii.

mend them for employment at reduced wages in place of men.[1] Third, the wide employment of women in displacement of men as a rule indicates loss of the skill required in the trade. Women are chiefly employed in the unskilled branches of a trade at very low wages, and these are not favorable conditions for successful trade-union activity. Finally, the tacit or open opposition of the men to the employment of women still obstructs to some extent the organization of women.

[1] Report of President, Cigar Makers' International Union, Supplement to Cigar Makers' Official Journal, September, 1883, p. 4.

CHAPTER V

ADMISSION OF ALIENS

The chief question which is usually raised regarding the advantages and disadvantages of immigration has to do with its effect upon native labor. Many persons, especially among the working classes, contend that immigrant competition tends to depress wages and to lower the conditions of employment. Since the decade 1831–1840, when the number of immigrants for the first time reached the half-million mark,[1] legislative restriction has been continuously advocated and to some degree enforced.[2] But apart from legislation, the American workman has undertaken to reduce what he regards as the evil of immigration. Trade unions have sought to accomplish this either by promoting organization among immigrant aliens, or by restricting their admission into union membership.

Many organized trades are without any considerable foreign-born element, and are not concerned with the prospect of an increased supply of workmen through immigration. For example, the Printing Pressmen, the Commercial Telegraphers, the Bridge and Structural Iron Workers, the Steam

[1] Abstract of Statistical Review of Immigration to United States, 1820 to 1910, p. 9. Government Printing Office, Washington, 1911.

[2] In 1838 the House of Representatives instructed a select committee to consider the expediency of lengthening the term of residence required for naturalization, and of providing by law against the introduction into the United States of vagabonds and paupers. The report of the committee recommended immediate legislative action, not only by Congress, but also by many of the States, "so that alleged evils could be remedied and impending calamities averted" (Abstract of Report of Immigration Commission on Federal Immigration Legislation, pp. 8–15). More recently a New York state license law restricted licenses for eccentric firemen to citizens. Similarly, on public work legislation has frequently restricted employment to citizens (Commons, "Immigration and its Economic Effects," in Report of Industrial Commission, Vol. XV, Pt. III, p. 311).

Fitters, the Saw Smiths, and the Plumbers represent trades into which large numbers of immigrants have not entered and may not be expected to enter. These unions, being little if at all affected by the competition of immigrant workmen, have permitted local unions to decide for themselves as to admitting such persons. On the other hand, a great majority of the manufacturing, mechanical, and mining industries have given employment for many years to large numbers of foreign-born workmen. These constitute the class of workers whose unionization has received separate consideration in trade-union policy. The competition resulting from increasing immigration in the forties was keenly felt in New York and other cities.[1] "An influx of foreign labor into a market already overstocked" was in 1844 assigned as a cause of the rise of the Native American party.[2] The movement of this period for a liberal public land policy received support from the working classes, who saw in it a means of avoiding the evils of a congested population in the eastern part of the country.[3] A little later, political motives, combined with the economic struggle against immigrant labor, created Know-Nothingism and filled the country with hostility toward foreigners. Prior to the rise of strong national unions near the Civil War period, opposition to alien labor thus usually connected itself with a legislative or a political program.

Although the annual immigration into the United States had fallen off largely after the depression of 1857 and the outbreak of war, the total number of arrivals from 1861 to 1870 was larger by one million seven hundred thousand than in the period from 1831 to 1840.[4] The industrial demand for labor invited the newcomers, and practically all classes now extended a welcome to "foreigners." In 1864

[1] "Voice of Industry" (Fitchburg, Mass.), October 9, 1845. Reprinted in Commons and Sumner, Vol. VII, pp. 88–89.
[2] Working Man's Advocate, New York, March 23, 1844. Reprinted in Commons and Sumner, Vol. VII, p. 90.
[3] Working Man's Advocate, June 15, 1844, p. 3.
[4] Abstract of Statistical Review of Immigraton to United States, 1820 to 1910, p. 9.

the Federal Government passed a law to encourage immigration and to make legal in this country contracts signed abroad by prospective emigrants.[1] Opposition from the laboring class soon manifested itself. In the large cities it protested either in public meetings or through the newly formed unions. The president of the National Labor Union was directed at the session in New York in 1868 to take the necessary measures to have revoked the charter of the American Emigrant Company, which was one of several companies established after the passage of the law of 1864 to deal in immigrant contract labor.[2] The unions also sent representations concerning the industrial situation to European labor papers for publication.[3] The principal argument employed in favor of restriction was that immigrants were employed usually at low wages, and that further immigration threatened an oversupply of workmen and reduced wages.

The opposition to immigrants has thus rested on economic rather than on racial or social grounds, and does not show itself as opposition to the organization of such aliens after their actual admission to this country.[4] Obviously the organization of immigrant labor is the only means of protection against its competition. This fact was recognized in the practice of local trade societies at a very early date.

[1] In recommending the passage of the bill, the committee in the House of Representatives said that never before in the history of the country had there existed such a demand for labor (Abstract of Report on Federal Immigration Legislation, pp. 10, 11).

[2] Proceedings of Second Session of National Labor Union, New York, September 21, 1868 (Pamphlet: Philadelphia, 1868). Reprinted in Commons and Andrews, Vol. IX, pp. 221–223.

[3] Proceedings, Iron Molders, 1876, p. 16; Proceedings, Iron and Steel Workers, 1880, pp. 363–366.

[4] Thus the United Garment Workers recently directed that a memorial to Congress be prepared showing to what extent the evils of the sweating system were due to undesirable immigration. It was pointed out that "a large proportion of the unorganized clothing workers of New York are recent arrivals, and in order to subsist they are obliged to assume tasks at wages which the Americanized workers would be unable to accept, and yet are forced to compete with. It seems, therefore, that active measures should be taken by the national union to combat this tendency which nullifies all efforts to raise the standard of labor in the clothing industry" (Proceedings, 1900, p. 23).

The Journeymen Stone Cutters' Association in 1857 included a considerable proportion of Germans in the membership of the local unions.[1] The Cigar Makers' International Union in the sixties was composed in large part of German-speaking members.[2] In 1869 the Printers affiliated a French printers' local union at Montreal, and have since organized local unions of other nationalities.[3] Other national unions also promoted the organization of immigrants.[4]

At the present time immigrants are ordinarily admitted to membership without discrimination, or are affiliated in separate local unions, in the following unions: Actors, Barbers, Blacksmiths, Boiler Makers, Bookbinders, Boot and Shoe Workers, Terra Cotta Workers, Amalgamated Carpenters, United Brotherhood of Carpenters, Car Workers, Railway Carmen, Cement Workers, Cigar Makers, Tobacco Workers, Cloth Hat and Cap Makers, Garment Workers (United), Ladies' Garment Workers, Laundry Workers, Compressed Air Workers, Coopers, Foundry Employees, Freight Handlers, Art Glass Workers, Glove Workers, Hod Carriers, Horseshoers, Hotel Employees and Bartenders, Iron, Steel and Tin Workers, Lathers, Longshoremen, Machinists, Maintenance-of-Way Employees, Marble Workers, Meat Cutters and Butcher Workmen, Metal Polishers, Mine Workers, Molders, Pavers, Paving Cutters, Piano and Organ Workers, Plasterers, Printers, Quarry Workers, Composition Roofers, Seamen, Shipwrights, Spinners,

[1] Stone Cutters' Circular, February, 1857, p. 1; August, 1857, p. 2.
[2] MS. Proceedings, 1864, p. 16; MS. Proceedings, 1865, p. 55.
[3] Barnett, p. 42.
[4] The president of the Iron Molders' Union in 1876 expressed the view that the agreements made in 1872 with the molders' societies in England and Scotland had been of great benefit, and had "prevented many from coming here to swell the ranks of the unemployed" (Iron Molders' Journal, July 10, 1876, p. 14). The secretary of the Amalgamated Association of Iron and Steel Workers in 1879 communicated with the Amalgamated Society in Great Britain concerning immigration to this country on the ground that "bad results would accrue from an influx of people to our shores, and for whom there was no possible chance of employment" (Proceedings, 1880, pp. 363–366). See also Cigar Makers' Official Journal, June 10, 1878, p. 1.

Tailors, Teamsters, Textile Workers, Upholsterers.[1] Local unions of certain trades, as for example the Cloth Hat and Cap Makers and the Shipwrights, Joiners and Caulkers, often reduce the admission fee to induce immigrants to become members.

Some unions, on the other hand, impose special restrictions upon immigrant applicants for membership. Four special requirements for admission have thus been enforced: (*a*) naturalization, or declaration of intention to become a citizen; (*b*) payment of high initiation fees; (*c*) approval or consent of the officers of the national union; (*d*) presentation of the card of a foreign union.

(*a*) In consequence of the large immigration and the constant importation of laborers under contract, many trade unions in the eighties urged upon Congress the enactment of restrictive legislation,[2] and began to discriminate against immigrant workmen in admission regulations. A rule requiring citizenship of members had been enforced in certain local unions.[3] Its adoption was frequently proposed as a national regulation in the Amalgamated Association of Iron and Steel Workers.[4] In 1887 the Bricklayers and Masons[5] and the United Brewery Workmen[6] provided that

[1] Estimates of the proportion of immigrant workmen in the membership of certain of the above-named unions, as made by a union officer, are as follows: Ladies' Garment Workers, 81 per cent.; United Garment Workers, 75 per cent.; Compressed Air Workers, 20 per cent.; United Cloth Hat and Cap Makers, 90 per cent.; Teamsters, 20 per cent.; Iron, Steel and Tin Workers, 5 per cent.; Meat Cutters, 90 per cent.; Car Workers, 85 per cent.; Plasterers, 20 per cent.; Glass Workers, 20 per cent.; Piano and Organ Workers, 90 per cent.

[2] Proceedings, Iron and Steel Workers, 1884, p. 1390.

[3] The East Boston Ship Carpenters' Union in 1858 maintained a rule that only citizens of the United States should be eligible for membership ("Trade Unionism in Massachusetts Prior to 1880," in Massachusetts Labor Bulletin, No. 10, April, 1899, pp. 46–47). In 1884 the deputy of the Bricklayers' and Masons' Local Union No. 30 of New York refused to install a non-citizen applicant as a member, in conformance with a local regulation. A decision of the national secretary reversed the action (Proceedings, 1885, p. 30).

[4] Proceedings, 1888, pp. 2482, 2497.

[5] Proceedings, 1887, p. 135.

[6] Protokoll der Zweiten Jahres-Konvention des National-Verbandes der Brauer der Vereinigten Staaten, 1887, p. 30.

foreign-born applicants might be admitted to membership only after naturalization or after declaration of intention to become naturalized citizens. Other unions which have since adopted similar rules include the Bakers and Confectionery Workers,[1] the Window Glass Workers,[2] the United Brotherhood of Carpenters,[3] the National Association of Marine Engineers,[4] the Hotel and Restaurant Employees,[5] the American Federation of Musicians,[6] the Slate and Tile Roofers,[7] and the Wood Carvers.[8]

The Marine Engineers and the Window Glass Workers require full-fledged citizenship. Usually, however, the unions accept persons who have made declaration before the legal authorities of intention to become citizens. The Bricklayers enforce the rule to the point of excluding foreign-born workmen who may already have gained admission into a local union without having taken steps to become naturalized.[9] A statement from the applicant of an intention to become naturalized is ordinarily satisfactory.[10] In 1902, for example, a local union of bricklayers in Racine,

[1] Constitution, 1890, Art. III, Sec. 4; Bakers' Journal, September 20, 1890, p. 2.
[2] Constitution, 1892, Art. I, Sec. 33.
[3] Constitution, 1895, Sec. 65.
[4] Constitution, 1899, Art. XVII, Sec. 1.
[5] By-Laws, 1901, Art. IV, Sec. 5.
[6] Constitution, 1904, Art. III, Sec. 3.
[7] Constitution, 1906, Art. III, Sec. 3.
[8] Proceedings, 1908, pp. 30, 63.
[9] In 1902 a case of this character arose in Local Union No. 35 of New York City. The facts were reported by the secretary of the local union as follows: "A member of our Union named Erminio Gorto [Italian] went to work . . . and the bosses offered him less than our standard wages, which Gorto refused, demanding 60 cents per hour. Our delegate collected the wages and two days' waiting time. The bosses then appealed to the Borough executive board which decided in their favor. Then we appealed to Greater New York executive committee with the same result, contending, as the man is not an American citizen, we should not protect him." On appeal to the International Union the decision of the New York executive board and committee was upheld. The president of the union, in stating the decision of the judiciary board, reprimanded Local Union No. 35 for infraction of the laws of the union as to citizenship, and declared that "it is imperative that the laws as laid down be carried out" (Report of President, 1902, Case No. 7, Judiciary Board, pp. 181–183).
[10] Report of President, 1890, p. xxxiii.

Wisconsin, requested instruction from the national union as to admitting seven immigrant workmen who were unable to procure their first papers of naturalization because they had not been in the State one year. It was advised that a declaration of intention before the local union should be accepted until the opportunity to comply with the law presented itself.[1] The United Brewery Workmen[2] and the Musicians, while accepting a declaration of intention, make rigid provision for compelling the completion of the process of naturalization. The Atlantic Coast Seamen's Union merely recommends that candidates for admission should be citizens or should have declared their intention of so becoming.[3]

The reasons ordinarily advanced in explanation of the requirement of citizenship involve political and economic considerations. The United Brewery Workmen at their second annual convention in 1887 emphasized the necessity of the members' acquiring citizenship "in order to assist in the social and political reform of our adopted fatherland."[4] The union has since maintained the rule as being in support of its policy of promoting the welfare of its members "through active participation in the political movements of the country." The well-known socialistic proclivities of the union probably account in part for the maintenance of the rule. Desire for political strength in elections to oppose the prohibition movement may also be responsible to some degree. The membership has always been composed to a large extent of persons of foreign birth, and particularly of immigrants from Germany. The Bakery and Confectionery Workers and the Musicians have also throughout

[1] Report of President, 1902, pp. 225–226.

[2] The provision of the Brewery Workmen is as follows: "Every candidate who desires to become a member of a local union must be in possession of his first citizen papers, and he must secure his second papers at such time, as he legally is entitled to do so. This provision must be enforced rigidly through a yearly revision, to be held by every local union on October 1" (Constitution, 1901, Art. III, Sec. 2).

[3] Constitution, Art. 2, Sec. A.

[4] Protokoll der Zweiten Jahres Convention, 1887, p. 30.

their history included a large proportion of immigrant workmen, and seem to have required citizenship for political purposes. Opposition on economic grounds to a large increase of foreign workmen in the trade is also partly responsible for the unwillingness of the unions to admit aliens until citizenship has been acquired, or at least until naturalization has been secured. The requirement in the National Association of Window Glass Workers is avowedly one of several means which that union has adopted to discourage glass workers from coming to this country.

(*b*) A universal condition of admission to any union is the payment of an initiation fee. Usually the amount is small, and is not sufficient to discourage prospective members; certain unions, however, demand higher initiation fees of immigrants than of other applicants. High and in some cases prohibitive initiation fees have been for a number of years imposed on this class of workmen by the Flint Glass Workers,[1] the Table Knife Grinders, the Pen and Pocket Knife Blade Grinders,[2] the Window Glass Workers,[3] the Stone Cutters,[4] the Granite Cutters,[5] the Wire Weavers,[6] the Glass Bottle Blowers,[7] the Lace Operatives, the Lithographers,[8] the Print Cutters,[9] the Brewery Workers,[10] and the Sanitary Potters.[11] It was provided in 1887 by the Flint Glass Workers that "all foreigners be taxed one hundred dollars as an initiation fee;" in 1904 the charge was reduced to $10.[12] This amount is now the minimum special fee required of immigrants. In 1892 the Window Glass Workers

[1] Constitution, 1887, Art. XXVII, Sec. 6.
[2] By-Laws, 1891, Sec. 9.
[3] Constitution, 1892, Art. I, Sec. 1.
[4] Monthly Circular [Stone Cutters], October, 1889, p. 4; Constitution, Art. V, Sec. 3.
[5] Constitution, 1897, Sec. 64.
[6] Constitution, 1895, Art. V, Sec. 1.
[7] Proceedings, 1903, p. 118.
[8] Constitution, 1904, Art. I, Sec. 10.
[9] Constitution, 1904, Art. XIII, Sec. 10.
[10] Proceedings, 1906, p. 151.
[11] Proceedings, National Brotherhood of Operative Potters, 1908, p. 25.
[12] Constitution, 1904, Art. 17, Sec. 2.

fixed a fee for "foreigners" at $200, in 1895 at $500, and in 1904 at $300. But since 1907 the national executive board has been empowered to determine the charge for each individual case. The Wire Weavers, since 1895, and the Glass Bottle Blowers, since 1903, have charged immigrant applicants $500. This is the highest regular fee imposed upon an applicant in any American trade union.

National trade unions ordinarily prescribe a minimum initiation fee for all applicants, but they often reserve to local unions the right to increase the fee for special cases. In the port cities of the United States the local unions in some trades have exercised this right by imposing higher fees on immigrants. Local unions of the Musicians, the Plasterers, and the Pattern Makers thus impose special fees in addition to the minimum fixed by the national union.

The imposition of a special admission charge in many instances may have no other purpose than to secure payment for advantages and privileges which would otherwise be procured without adequate contribution from the prospective member. But the excessive fees required by the Glass Bottle Blowers, the Window Glass Workers, the Knife Grinders, the Print Cutters, the Lace Operatives, and the Wire Weavers are acknowledged to be for purposes of exclusion. The five-hundred dollar fee of the Wire Weavers is maintained as a prohibitive tariff to keep out weavers from England and Scotland. The last foreign weavers were admitted in 1906. The Glass Bottle Blowers have desired particularly to protect the trade against glass blowers from Sweden and Germany. No immigrant applicants have been admitted for several years, and for three years none have applied. In 1908 the Lace Operatives increased the fee for immigrants to discourage skilled workmen from migrating to this country. Local unions of the Stone Cutters,[1] the Granite Cutters,[2] and other trades openly seek protection against the competition of foreign workmen by the use of special high fees.

[1] Monthly Circular [Stone Cutters], November, 1891, p. 1.
[2] Granite Cutters' Journal, September, 1891, p. 5.

(*c*) The ordinary preliminaries to admitting candidates to union membership are a report of an investigating committee and a vote of the local union. In accordance with specific rule or by well-established practice a small number of national unions admit immigrant workmen only upon the approval of the national officers or by vote of a national executive board or of the entire membership of the union. These include the glass-trades unions, the United Hatters,[1] the Print Cutters, the Machine Printers, the Wire Weavers, the Table Knife Grinders, and the Lace Operatives. The Brewery Workmen require in addition that the names of all immigrant candidates shall be sent to the national officers for the purpose of obtaining information as to their standing from the brewery workers' union in the country from which they came.[2] The American Federation of Musicians forbids the local unions to admit musicians who have been imported by an agent, musical director, or employer unless the national executive board sanctions their admission.[3]

The unions in the glass trades have constantly opposed the immigration of foreign glass workers. In the early eighties the Window Glass Workers, Local Assembly 300, formed an international union with the aim of including all workers in the trade in the world, chiefly for the purpose of adjusting the supply of workers to the needs of each country.[4] The Universal Federation maintained for several years a successful existence,[5] but ceased to exist during the

[1] "Local secretaries must not give cards to foreigners. The national secretary is alone authorized to do so" (Constitution, 1900, Art. XX, Sec. 1).

[2] Constitution, 1901, Art. III, Sec. 3.

[3] Constitution, 1908, Art. VI, Sec. 14; Proceedings, 1906, pp. 99, 102.

[4] Proceedings, 1884, pp. 13–14.

[5] In 1889 the president of the assembly reported that fewer workers had been coming to this country than prior to the formation of the Federation, and that no American firm had been able to advertise for men in Europe or send an agent there without the assembly being notified of the fact. Fifteen thousand dollars had been expended in establishing the organization, and over one thousand dollars was at this time annually paid to help to organize European workmen (President's Report, Proceedings, 1889, p. 14).

nineties. The policy of excluding immigrant window glass workers was, however, still pursued. In 1899 the union, in a communication to the Belgian union, discouraged artisans from coming to the United States, advising them that they could neither secure work nor join the union here. In that year a rule was also adopted excluding foreign-born workmen from membership for a period of five years.[1] Since 1904 such applicants, to gain admission, must have been residents for five years, and must have been naturalized. This rule might be waived by special permission of the executive board. All applications for admission must pass the board, whose concurrence is necessary to make legal an election to membership.[2]

At each annual session of the United Green Glass Workers' Association[3] since 1892 provision has been made for the exclusion of immigrant blowers during the succeeding year, unless in the judgment of the national president and executive board their admission may be deemed necessary.[4] Applications of foreign workmen desiring to enter the trade are made directly to the national officers,[5] and admission may ordinarily be gained only when the association considers that the applicants can be employed.[6] In 1889 the Flint Glass Workers provided that a foreigner who wished to become a member of the union must be proposed by a member in good standing in a local union. If elected by a majority vote of the entire trade, he must be admitted.[7] In 1902 three "foreigners" were thus admitted by vote of all the local unions.[8]

The requirement that admission to membership must be

[1] Proceedings, 1899, pp. 14, 99.
[2] Constitution, 1904, Art. I, Sec. 14; By-Laws, 1910, Art. V, Sec. 3.
[3] Known since 1895 as the Glass Bottle Blowers' Association of the United States and Canada.
[4] Proceedings, 1892, p. 144.
[5] Proceedings, 1895, p. 96; Proceedings, 1897, p. 135; Proceedings, 1904, p. 120.
[6] Proceedings, 1907, p. 229.
[7] Constitution, 1889, Art. XXVI, Sec. 6.
[8] Flint Glass Workers' Circular, August 14, 1902, p. 1; September 13, 1902, p. 1.

through the action of the national union makes entrance to a trade more difficult than by the ordinary method, on account of the delay involved. On the other hand, the national officers, executive board, or entire membership usually acts with a view to the best interests of a union rather than with respect to local prejudices. In this way greater effectiveness and convenience are attained in dealing with a problem which concerns a union as a whole. Thus, the Musicians desire to eliminate the competition of foreign musicians who have been imported to work at less than the prevailing wages. The national union is better qualified than are the local unions to determine when this class of musicians should be admitted and to what extent they should be excluded in the interest of the union. Again, the national control of admission is established with the intention of adjusting the number of persons admitted to membership to the needs of the trades for workmen. This control has tended practically to keep out all immigrants.

(*d*) Immigrant workmen who present certificates of membership in a foreign union may usually obtain favorable terms of admission into the union of their trade in this country. In 1889 the Cigar Makers made arrangements for receiving without charge the members of any foreign cigar makers' union which had in return agreed to accept travelling members of the American union.[1] Similarly, the Bakery and Confectionery Workers,[2] the Boot and Shoe Workers,[3] and the Machinists[4] admit without the payment of an initiation fee or other restriction any immigrants presenting proof of membership in a foreign trade union. The Brewery Workmen admit the holders of foreign cards of membership only on condition that they have been members of a foreign trade union for one year and that the national officers have also investigated their standing.[5]

[1] Proceedings, 1889, p. 27.
[2] Constitution, 1890, Art. XIV, Sec. 12; Constitution, 1909, Art. XIII, Sec. 8.
[3] Constitution, 1904, Sec. 44.
[4] Constitution of Subordinate Lodge, 1909, Art. IV, Sec. 6.
[5] In 1903 the International Union of United Brewery Workmen

Certain unions require a membership card as a condition for admission. The United Hatters thus actually exclude foreign hatters who have not credentials from a recognized union.[1] Applicants who show proper proof of membership may be admitted only during the first three months after arrival.[2] Since 1905 the Operative Potters have enforced a rule that "foreign workmen will not be permitted to work unless they have cards showing that they have served a complete apprenticeship and are competent workmen."[3]

On the other hand, some unions have never made provision for accepting immigrants who apply with foreign union cards. The Wire Weavers, the Lace Operatives, the Print Cutters,[4] the Window Glass Workers,[5] and the Glass Bottle Blowers[6] are openly opposed to an exchange of membership cards with foreign unions. In 1908 the Bricklayers and Masons also refused to provide for any recognition of cards issued by a foreign union.[7]

Ordinarily the purpose of the requirement that foreign workmen, to gain admission, should present paid-up membership cards is to secure proof that the workmen are competent. Other aims may also be subserved. An ex-

secured an agreement with the central brewery workers' organization of Germany providing that only persons who had been members one year should be granted the "international travelling card," which entitled them to favorable admission into the union in this country. The purpose was to prevent brewery workmen from joining the organization just before they emigrated in order to secure a card, and "thus share in the great advantages in the new country achieved through organized labor" (Proceedings, 1903, pp. 137–138). The agreement has been extended to include other organizations in Europe. In 1908 a proposal was made to change the agreements so that three years' previous membership should be required to secure a card (Proceedings, 1908, p. 154).

[1] By-Laws, 1900, Art. XX, Sec. 1; By-Laws, 1907, Art. XIV, Sec 1; Journal of the United Hatters, October 1, 1901, p. 3.

[2] By-Laws, 1900, Art. XX, Sec. 4; Journal of the United Hatters, January 1, 1902, p. 3.

[3] Proceedings, 1905, p. 49; Proceedings, 1909, pp. 40, 64.

[4] The National Print Cutters' Association, in reply to a communication from the American Federation of Labor about exchanging membership cards with foreign unions, declared itself "opposed to such an idea" (Proceedings, 1906, p. 6).

[5] Constitution, 1907, Sec. 25.

[6] Constitution, 1910, Art. IX, Sec. 51.

[7] Proceedings, 1908, pp. 144–145.

change of membership cards between unions of different countries is prompted by a sentiment of unity in the labor movement. The Brewery Workmen apparently seek to exclude foreign workmen who have opposed unionism in their native land. In other unions, such as the United Hatters and the Operative Potters, which debar qualified foreign applicants without cards, and in those unions which refuse to recognize foreign membership cards, the chief motive is limitation of numbers.[1]

American trade unions have shaped their policies under the disadvantage of a steady stream of immigrant labor contributory to practically all trades. In endeavoring to overcome or resist the ill effects of competition from this source they employ either the method of unionizing or that of excluding immigrant workmen. In the majority of trades exclusion from union membership is not equivalent to loss of work. The policy of unionization, therefore, must usually be pursued.[2] Special restrictions on the admission of immigrants are considered advisable in only a small number of trades. Several considerations are influential in determining a union to pursue a restrictive policy. In the first place, the trade must be substantially under the control of the unions. Otherwise the exclusive rules, intended to prevent immigrants from resuming in this country the trades at which they have been engaged, would serve only to make them continue as non-unionists. As a matter of fact those unions which attempt to restrict the entrance of foreign-

[1] Thus the Operative Potters adopted the policy of excluding foreign workmen without membership cards on the ground that "the influx of foreign workmen into the pottery industry is an injury to the members of our craft" (Proceedings, 1905, p. 49).

[2] The president of the National Brotherhood of Operative Potters thus described the typical attitude of union leaders: "Even though one honestly believes that it would be best for the future welfare of the country to keep out certain immigrants, that does not justify him in doing an injustice to those already here. Our duty should be to imbue them with the principles of trade unionism . . . and thus prevent them from becoming a menace. It would not be fair to deny them the opportunity to become union men and then condemn them for becoming scabs and strike-breakers. There is neither wisdom nor justice in such a policy" (Proceedings, 1907, p. 8).

born workmen are usually strong and well organized.[1] Under such conditions it is essential to the maintenance of existing standards of wages that the supply of labor through immigration be restricted.

The second and more fundamental reason why certain trade unions are particularly concerned in excluding immigrant workmen has to do with the nature of the trade. A skilled trade having identical processes in Europe and in the United States may easily be recruited by trained immigrants. For example, in stone cutting, brick laying, and masonry manual skill is important, and the work in each trade is much the same wherever performed. These trades have had to meet the competition of foreign trained workmen.[2] The Stone Cutters and the Granite Cutters for a number of years have discriminated against this class of workmen by imposing high initiation fees.[3] In a similar manner the glass-trades unions, the Musicians, the Wire Weavers, the United Hatters, and the Brewery Workmen fear the competition of a supply of trained workmen seeking employment at their trades in this country. They have, therefore, by various means pursued an exclusive policy.

In the third place, a union puts obstacles in the way of

[1] The following estimates, obtained from the secretary of the union, show approximately the percentage of the trade organized or controlled by certain unions which specially restrict the admission of immigrants: Bricklayers and Masons, 95; Brewery Workmen, 95; Musicians, 98 (except in the South); Slate and Tile Roofers, 75; Flint Glass Workers, 80; Window Glass Workers, 95; Glass Bottle Blowers, 98; Wire Weavers, 95; Print Cutters, 98; Table-Knife Grinders, 80; Lace Operatives, 90; United Hatters, 80.

[2] "Expertness in quarrying the stone as well as in plastering and moulding has been a transmitted acquirement for more than 2000 years in Italy, and the skilled Italian workman in these lines of industry dreads no competition. It is unquestionable that there would be a much greater influx of these valuable artisans, if available openings for employment were better determined and reported, and if the antagonism of the labor unions to any outside competition was not so pronounced" (Lord, The Italian in America, pp. 96–99).

[3] Stone cutters have opposed particularly workmen known as "harvesters," who come only to work for a few months in summer. Since 1890 a special fee has been required of such immigrants (Industrial Commission Report, Vol. VII, p. 745). The Granite Cutters in very much the same way deal with "swallows" in that trade (ibid.).

the admission of immigrants not only to exclude them from union membership and from trade employment, but also to discourage prospective emigrants from coming here for similar employment. Through the personal letters of immigrants to friends and relatives at home these restrictions become known, and are considered effective to some extent in deterring emigration.[1]

Finally, the desire among unionists to prevent outsiders from coming in as competitors to secure advantages in wages and improved conditions, which have been obtained only after long sacrifice, is especially strong in relation to foreign-born workmen. The discrimination is economic, however, and not racial. Thus the Brewery Workmen and the United Hatters, whose membership is in large part foreign-born, are strongly in favor of restricting the entrance of additional foreign workmen into these trades. The desire thus to exclude competitors for employment is common to all unions, but the majority of trades are not sufficiently well organized at the present time to render effective any restrictive methods in dealing with immigrants.[2]

[1] "The immediate incentive of the great bulk of present day immigration is the letters of persons in this country to relatives or friends at home. Comparatively few immigrants come without some reasonably definite assurance that employment awaits them" (Brief Statement of Conclusions and Recommendations of Immigration Commission, p. 17). See also Proceedings of Window Glass Workers' Local Assembly 300, 1889, p. 14.

[2] Thus, in 1905 a local union of the Bookbinders' Brotherhood requested instruction as to admitting a foreigner. The brotherhood said: "If this man is a competent bookbinder his place is on the inside. Our brotherhood is a business proposition and we cannot allow sentiment to interfere with material interests. Much as we differ in our opinion as to the question of foreigners in our locals, the fact remains that they are an important factor in the competitive field" (The International Bookbinder, June, 1905, p. 175). A decision of a similar character showing the policy of the American Federation of Musicians was made in 1907 (International Musician, March, 1907, p. 1). In 1891 the corresponding secretary of a Granite Cutters' local union wrote: "Who among us does not read with apprehension the long list of unpronounceable names that appear each month in our Journal as new members?" (Granite Cutters' Journal, August, 1891, p. 5).

CHAPTER VI

ADMISSION OF NEGROES

While slavery existed in the South, all forms of labor, skilled and unskilled, were performed to some extent by negroes. This involved the formation of more or less expert classes of free and of slave negro artisans.[1] Any organized movement of negroes to promote trade welfare was, however, practically impossible, and labor reform in their behalf was confined to abolitionist activity.

Liberation of the slaves involved the introduction of a large new element into the class of free laborers competing in the labor market of the country. While the new competition was at first small in most trades, it soon became of importance in certain unskilled and semi-skilled trades. For example, Irish longshoremen clashed with negroes on the waterfront of New York City in 1863, and in the same year a strike of three thousand longshoremen for higher wages ended in virtual failure because the strikers' places were taken by negroes.[2] In 1866 and 1867 colored caulkers of Portsmouth, Virginia, were brought to Boston, Massachusetts, and used by employers in a struggle against the eight-hour day.[3] Rumors of the imminence of negro competition further imperiled wages and employment in other trades.[4] The problem of meeting and adjusting the new competition was thus clearly presented to the laboring world.

[1] Lowry, "The Negro as a Mechanic," in North American Review, April, 1893, p. 472. See also Dubois, "The Negro Artisan," in Atlanta University Publications, 1902, No. 7; Commons, Trade Unionism and Labor Problems, p. 253.

[2] Fite, Social and Industrial Conditions in the North during the Civil War, p. 189.

[3] Address of National Labor Congress, 1866. Reprinted in Commons and Andrews, Vol. IX, p. 158.

[4] Proceedings of National Labor Congress, 1867. Reprinted in Commons and Andrews, Vol. IX, pp. 185–187.

The National Labor Union at its initial session in 1866 was the first national federation of labor unions to deal with the issue. The declaration was then made that "the interests of the labor cause demand that all workingmen be included within its ranks, without regard to race or nationality; and the interests of the workingmen of America especially required that formation of trades' unions, eight-hour leagues, and other labor organizations, should be encouraged among the colored race; . . . and that they be invited to cooperate with us in the general labor undertaking." Nothing beyond this mere statement of opinion was accomplished. The time at which the cooperation of the colored race should take effect was left to the decision of the succeeding annual meeting.[1] The president of the National Labor Union Congress, held in Chicago in 1867, in his report set forth the problem clearly and suggested a course of action.[2] Later in the session a "Committee on Negro Labor" reported that, although they realized the danger of competition from this quarter, yet they believed it was inexpedient to take action, and recommended that the subject should be laid over until the next session. Extended discussion revealed wide diversity of opinion among the delegates. The session ultimately adopted the committee's final report that no formal position should be taken on the subject.[3] The organized trades thus again declined to sanction any definite policy with respect to negro labor.

During the next two years the issue was pressed, until in 1869, at the Philadelphia session of the National Labor

[1] Address of National Labor Congress, 1867. Reprinted in Commons and Andrews, Vol. IX, p. 160.

[2] President Z. C. Whaley in his report to the National Labor Union Congress, meeting in Chicago on August 18, 1867, said: "The emancipation of the slaves has placed us in a new position, and the question now arises, what labor position shall they now occupy? They will begin to learn and to think for themselves, and they will soon resort to mechanical pursuits and thus come in contact with white labor. It is necessary that they should not undermine it, therefore the best thing that they can do is to form trades' unions, and thus work in harmony with the whites" (McNeill, p. 136).

[3] Proceedings of National Labor Congress, 1867. Reprinted in Commons and Andrews, Vol. IX, p. 188.

Union, colored persons were admitted as delegates. Discrimination on account of color, sex, or locality was disclaimed by resolution, and negroes were urged "to form organizations, . . . and send delegates from every state in the union to the next congress."[1] For the first time a national convention of white working men advocated the formation of labor unions by negroes, and authorized the admission of negro delegates to the annual session.

This declaration or resolution by a federation of unions was little more than a benevolent utterance with only moral force at its back; it might be easily disregarded and nullified by either a national or local union disinclined to favor organization among negroes. A more accurate judgment, therefore, as to what was at this time the prevailing attitude of organized laborers may be formed from the union rules and, in so far as determinable, from the practices of particular unions in different parts of the country with respect to negro laborers.

From its formation the Cigar Makers' International Union by constitutional provision[2] specifically excluded negroes from admission. The Printers, the Iron Molders, the Iron and Steel Workers, the Knights of St. Crispin, the Bricklayers and Masons, and the Ship Carpenters made no discrimination against negroes by constitutional provision. This fact does not mean that negroes were admitted to membership, but rather that they were not to any considerable extent engaged in these trades. Indeed, all available evidence supports the conclusion that negroes were seldom admitted into a union in any part of the country. The instance of negro unionists who were delegates at the

[1] The Philadelphia session also appointed a committee of five members to organize the colored workingmen of Pennsylvania into labor unions. Robert Butler, a colored delegate, of the Engineers' Association of Maryland, was a member of the committee. Its report was to be presented at the next congress. But it is not known whether the committee accomplished its work, as no report was made (Workingman's Advocate, September 4, 1869, Proceedings of National Labor Congress. Reprinted in Commons and Andrews, Vol. IX, pp. 239–240).

[2] MS. Proceedings, 1865, p. 60; Proceedings, 1867, p. 136.

Philadelphia convention in 1869 has been noted.[1] Notwithstanding the efforts of the National Labor Union to enroll colored laborers, a separate national negro labor union was formed in 1869. The records of its few years of activity give evidence of the unfriendly attitude of the trade unions toward negroes.[2]

During the succeeding period from about 1870 to 1885, covering the rise, progress, and rapid growth of the Knights of Labor, neither the attitude nor the practice of organized workers in dealing with negro labor was substantially mod-

[1] In the discussion of negro labor at the Chicago session of the National Labor Union in 1867 a delegate of the Carpenters' and Joiners' Union of New Haven, Conn., stated that in New Haven there were "a number of respectable colored mechanics, but they had not been able to induce the trades' unions to admit them." He also inquired whether there was any union in the country which would admit colored men. A representative of the Boot and Shoe Makers' Union of Chicago was sorry the words "black" or "colored" had been used in the convention, but was willing to vote to take in the black worker. A delegate from Norwich, Conn., asserted that "it would be time enough to talk about admitting colored men to trades' unions and the congress when they applied for admission." W. H. Sylvis of the Molders' Union of Philadelphia reported that the white workmen in the South had already been striking against the blacks, and that unless the two races should begin to cooperate the antagonism would destroy the trades' unions (Workingman's Advocate, August 24, 31, 1867, Proceedings of the National Labor Congress. Reprinted in Commons and Andrews, Vol. IX, pp. 185–188).

[2] At its first session in Washington, D. C., in December, 1869, the Negro National Labor Union inserted in its "platform and memorial to Congress" a resolution as follows: "Resolved . . . that the exclusion of colored men and apprentices from the right to labor in any department of industry or workshops in many of the states and territories of the United States by what is known as 'trades' unions,' is an insult to God, injury to us and disgrace to humanity" (Evening Star, Washington, D. C., December 8, 1869, p. 4).

In 1871 at the session of the union the committee on capital and labor reported: "Your committee would simply refer to the unkind estranging policy of the labor organizations of white men, who, while they make loud proclaim as to the injustice (as they allege) to which they are subjected, justify injustice, so far as giving an example to do so may, by excluding from their benches and their workshops worthy craftsmen and apprentices only because of their color, for no just cause. We say to such, as long as you persist therein, we cannot fellowship with you in your struggle" (Daily Morning Chronicle, Washington, D. C., January 14, 1871, p. 4, Proceedings National Negro Labor Union. Reprinted in Commons and Andrews, Vol. IX, p. 253.).

ified, nor is it probable that the number of negro members of labor organizations was considerably increased. The Knights of Labor was originally composed of skilled workmen engaged for the most part in mechanical industries.[1] The mass of negro laborers competing in the market had not been trained as skilled laborers, and negroes were not numerous in the trades in which organizations were formed. In a few trades, however, negroes were engaged in sufficient numbers to demand consideration from the labor organizations. For example, in 1871 one of the largest and strongest of the three New Orleans local unions of the Coopers' International Union was a colored union.[2] In 1879 the Cigar Makers removed from their constitution the provision excluding negroes from membership.[3] In 1880 the Knights of Labor approved a decision of the grand master workman that the color of a candidate should not debar him from admission.[4] In Atlanta in 1884, and in Memphis in 1887, a few negro bricklayers were unionists.[5]

After 1881 the Knights of Labor had a rival in the Federation of Organized Trades and Labor Unions. Notwithstanding this fact, the membership of the Knights increased until by 1886 it numbered more than half a million members. All grades and classes of laborers were admitted, and a large number of negroes were thus unionized. In 1885 negroes were said to be joining the Knights of Labor everywhere in the South.[6] At the session of 1886 of the General Assembly in Richmond, Virginia, District Assembly No. 49 of New York had a colored member as one of its delegates, while other negro delegates were also in attendance.[7] It is not, however, possible to estimate even approximately the numerical strength of the negro membership of labor organizations at this time.

[1] Baltimore Sun, October 13, 1886.
[2] Coopers' Monthly Journal, September, 1871, p. 352.
[3] Proceedings, 1879, p. 2.
[4] Proceedings, 1880, p. 257.
[5] Semi-Annual Report of President, Bricklayers and Masons, 1884, p. 17; Semi-Annual Report, 1887, p. 17.
[6] Ely, Labor Movement, p. 83.
[7] Powderly, Thirty Years of Labor, pp. 651, 652, 658.

In the late eighties the leadership of the federated trade unions shifted to the American Federation of Labor. The liberal membership policy toward negroes of the later years of the Knights of Labor was also maintained by the Federation. In 1897 it reaffirmed an earlier declaration that "the working people must unite and organize irrespective of creed, color, sex, nationality or politics,"[1] and in 1910 this was still its declared policy.[2] Prior to 1900 the Federation, in its efforts to have all affiliated unions carry out this policy, insisted that unions desiring to enter or remain in affiliation must eliminate the color clause from their constitution and laws.[3] The International Association of Machinists was excluded for several years until it removed the word "white" from its constitutional qualifications for admission. This is said to have been at one time the chief obstacle preventing the Brotherhood of Locomotive Firemen from affiliating with the Federation.[4] But within recent years those unions which by their rules deny admission to negroes have not been excluded. In 1910 the following unions which thus explicitly exclude negroes were affiliated with the American Federation: Wire Weavers,[5] Switchmen,[6] Maintenance-of-Way Employees,[7] Railroad Telegraphers,[8] Railway Clerks,[9] Commercial Telegraphers,[10] Machinists,[11] and Boiler Makers and Iron Ship Builders.[12]

The Federation of Labor has not only discouraged the exclusion of negroes, but it has continuously promoted organization among negroes by positive measures. In the first place, since 1900 it has made provision for granting separate

[1] Proceedings, 1897, pp. 82, 83.
[2] Proceedings, 1910, p. 237.
[3] Report of Industrial Commission, 1900, Vol. VII, p. 648.
[4] Report of Industrial Commission, 1901, Vol. XVII, p. 36.
[5] Constitution, 1894, Art. III, Sec. 1; Constitution, 1900, Art. III, Sec. 1.
[6] Subordinate Lodge Constitution, 1909, Sec. 141.
[7] Constitution, 1909, Art. XI, Sec. 1.
[8] Constitution, 1909, Art. XIV, Sec. 1.
[9] Constitution, 1906, Art. II, Sec. 1.
[10] Constitution, 1908, Art. III, Sec. 1.
[11] Ritual, 1909, p. 5.
[12] Proceedings, 1908, p. 494.

charters to central, local, and federal labor unions composed exclusively of colored members and directly affiliated with the Federation.[1] The organization of colored laborers is thus made possible in localities where otherwise, by the regular course of admission into white unions, they could not be organized. The objection has been made that this provision is a departure from sound policy in that it creates a substitute method whereby negroes may be organized, and that it recognizes to this extent the exclusion of negroes from white local and central labor unions.[2]

In addition to such efforts, for a number of years the Federation has annually expended considerable sums in employing negro organizers to form unions among colored laborers in various parts of the country.[3] The policy of the Federation appears now to consist of two parts; first, the substantial encouragement of the formation of separate unions for colored laborers in localities where they may not otherwise become organized; and, second, the advocacy in speech and publications of the admission of negroes, subject to the final discretion of individual national unions.

The policy and practice of national trade unions with reference to the organization and admission of negroes may now be considered. These unions divide into two groups according as their regulations forbid or permit negroes to become members. The earliest recorded case of trade-union opposition to negro labor appears to have been that of

[1] In December, 1911, 2 negro central bodies and 11 local and federal unions with 309 members were affiliated with the Federation.

[2] The secretary of the Car Workers' International Association stated to the writer that in recent years the association, instead of endeavoring to bring negroes into its membership, had pursued the policy of turning all negro car workers over to the American Federation of Labor to be organized in federal unions. The editor of the Electrical Workers' journal wrote in 1903: "We do not want the negro in the International Brotherhood of Electrical Workers, but we think they should be organized in locals of their own, affiliated with the American Federation of Labor as the organization knows no creed or color" (The Electrical Worker, April, 1903, p. 102).

[3] In December, 1911, three salaried negro organizers were being employed by the Federation to organize negroes. Negro organizers have thus been engaged for several years.

the New Orleans Typographical Society, which in 1834 forbade its members to work "with a free man of color, either as compositor or pressman."[1] Serious opposition to the black laborer manifested itself soon after the Civil War. Some labor organizations, even in the more skilled occupations such as the Cigar Makers[2] and the Locomotive Engineers,[3] by specific regulations debarred negroes. Moreover, the absence of specific rules against the admission of negroes, as for example in the Bricklayers' and Masons' International Union, did not signify that they were admitted.[4] There was a wide-spread hostility within the ranks of labor organizations in different parts of the country toward negro laborers and their admission into the unions. Opposition to the entrance of negroes into the trades, as well as their exclusion from union membership, thus constituted the essential policy first pursued by the white organizations. But inasmuch as this policy has not always been sanctioned by specific union rules, it will be necessary, in order to estimate more carefully the prevalence or non-prevalence of the exclusion of negroes, not only to indicate those unions whose regulations openly debar negroes, but also to ascertain the practice, under the rules, of those unions which do not specifically discriminate against negroes.

The national trade unions which practically from the beginning have denied admission to negroes are the Locomotive Engineers, the Locomotive Firemen, the Window Glass Workers, the Switchmen, the Wire Weavers, the Maintenance-of-Way Employees, the Railroad Trainmen, the Railway Carmen, the Railway Clerks, the Railroad Telegraphers, the Commercial Telegraphers, the Boiler Makers and Iron Ship Builders, and the Machinists. Ordinarily exclusion is

[1] Barnett, p. 320.
[2] MS. Proceedings, 1865, p. 60.
[3] Constitution and By-Laws, 1884, Art. II, Sec. 1.
[4] The president of the Bricklayers' National Union in 1881 reported the second decision in which the right of a negro member to admission by card into any local union was held subject to local discretion. This indicates that only rarely were negroes admitted (Proceedings, 1881, p. 7).

established by the membership qualification clause of the national organization. For example, the Locomotive Firemen have provided by constitutional provision since 1884 that only "white-born" applicants are eligible.[1] The Boiler Makers and Iron Ship Builders and the Machinists accomplish the exclusion by a rule or pledge which forms part of the ritual and binds each member to propose only white workmen for membership.[2]

The persistence with which this comparatively small group of unions openly adheres to negro exclusion is not to be attributed to any fear of serious competition of negroes. In the first place, the majority of the trades or occupations here represented are skilled trades, and require extended training for their acquisition. This fact alone would probably have closed the trades even at the present time to the mass of negro workmen. By reasonable estimates there are probably not more than fifty negro railway clerks, railway telegraphers, or commercial telegraphers in the United States. If the same proportion of negroes were fairly well maintained in the other trades in this group, it would be reasonable to conclude that it is not the immediate menace of cheaper negro labor which accounts for the discrimination. It is true that the Railway Carmen and the Maintenance-of-Way Employees have experienced in some parts of the country considerable competition from negroes. A reasonable estimate places the number of negro carmen at about three thousand, and in the future this grade of work may be expected to be performed by negroes in increasing degree. But conditions similar to these do not exist in the other trades. Negroes are not only discouraged, for example, from taking up the occupations of boiler maker, engineer, wire weaver, or window glass blower by the difficulty of acquiring the necessary training, but they are ac-

[1] Constitution, 1884, Art. II, Sec. 1.

[2] This method is adopted on the theory that a union affiliated with the American Federation of Labor may not retain in its constitution a discriminatory clause against negroes (Proceedings, Boiler Makers and Iron Ship Builders, 1908, p. 494; Ritual, Machinists, 1909, p. 5). See also above, p. 117.

tually debarred from the trade organizations by the strong resentment of the trained workmen toward even a remotely possible intrusion of inferior workmen. Exclusion is also doubtless inspired both in the skilled occupation and in the less skilled occupation, such as car-building and maintenance-of-way, by an avowed racial antipathy against negroes, based on their undesirability as fellow-workmen in the trade and in the activities of the trade organizations.

The group of national trade organizations which admit negroes, so far as the formal regulations of the union go, include all the remaining unions. However, a mere array of national unions whose regulations permit or do not forbid negroes to become members is not conclusive of the fact that negroes are admitted to membership on application. In fact, this group of unions must be further subdivided into two more or less clearly defined classes according to whether or not, in the light of actual experience, negroes are permitted to become members.

In the group which admits negroes we find first a class of unions representing more or less skilled trades for entrance into which the technical or other trade requirements have not been favorable to negroes. Yet the regulations of the national unions permit negroes to gain admission. For example, the requirements for entering successfully the printing and allied trades are very difficult of attainment by the ordinary negro mechanic. To perform satisfactorily the work of a compositor, a pressman, or a linotype operator, mechanical skill and intellectual capacity are required which only a small percentage of negroes seem to possess. The national unions in these trades have never prescribed a color qualification for admission. Again, iron molding affords a long-standing illustration of a skilled trade into which negroes have rarely entered, and from which the union has never debarred negroes. Other trades, such as pottery making, glass blowing, hat making, and boot and shoe making, have rarely given employment to negro journeymen, although the national trade unions have never denied ad-

mission to negroes. The unions of this first class in the admitting group have, as national organizations, thus remained practically indifferent or passively favorable to the unionization and admission of negroes. This has been their attitude because of the fact that the number of negroes in the trades has necessarily remained small.[1] The unions have not made regulations restricting the admission of negroes, but the number of negro members is small.[2]

While negroes have not been engaged to any considerable extent in the mechanical industries, certain other groups of occupations have from the beginning afforded them favorable employment. It has been seen that negro laborers competed with the longshoremen and with building laborers in various parts of the country in the years following the Civil War. The occupations which at that time were open or have since gradually opened to the employment of negroes for the most part represent semi-skilled or unskilled operations for which the supply of negro labor has been readily available. Negroes are engaged in considerable numbers as tobacco workers, coopers, longshoremen, freight handlers, bakers and confectionery workers, barbers, team drivers, miners, sailors, musicians, hotel and restaurant employees, foundry workers, pavers, hod-carriers, and as workers in certain of the building trades, particularly as cement workers, plasterers, slate and tile roofers, wood, wire, and metal lathers, and metal workers. The national unions within the trades enumerated above, in

[1] The census of 1900 showed that the number of negro printers, lithographers, and pressmen was only 1221. In 1908 the number of negro molders in the United States was estimated at 800 (Iron Molders' Journal, August, 1908, p. 577).

[2] Estimates by union officials show the number of negro members in the unions to be as follows: Printers, about 250; Pressmen, less than 6; Lithographers, 1; Photo-Engravers, less than 6; Steel and Tin Workers, 2 or 3; Potters, none; Glass Bottle Blowers, none; Hatters, none; Molders, 12; Organ Workers, 1; Theatrical Stage Employees, 4; Pattern Makers, 1; Glass Workers, "a few negro members;" Wood Workers, " a few;" Broom and Whisk Makers, 6; United Brewery Workers, less than 10; Granite Cutters, 3 or 4; Elevator Constructors, "a few;" Boot and Shoe Workers, 50, and Metal Polishers, 1.

which a noticeable proportion of negro labor is employed, have actively approved and substantially supported the admission and organization of negroes.[1] The labor leaders in any trade do not usually oppose the inclusion of negroes in the labor movement when once they have become a definite element of the labor supply in the trade.

Different unions have pursued the admission policy by different methods and with varying results. The leaders of the labor movement in the late sixties endorsed the plan of separate organizations for negro workmen. This plan was used first by the Coopers and the Cigar Makers. The American Federation of Labor supports the movement for unionizing negroes by affiliating separate negro unions. National unions ordinarily also permit and encourage the chartering of separate negro local unions. This method secures for both races the advantages of organization without the disadvantage of mixed unions. The Teamsters, the Barbers, the Bartenders, the Bakers, the Freight Handlers, the Cigar Makers, the Tobacco Workers, the Musicians, the Plasterers, the Painters, the Bricklayers, the Molders, the Carpenters, the Coopers, the Lathers, the Foundry Employees, and the Pavers have approved of the organization of negroes by admitting them to membership in mixed as well as in separate local unions. Mixed unions may usually be found in any national union which charters separate negro unions, for the national pact binds each local union to accept the transferred members of another local union. The Cement Workers[2] and the Slate and Tile Roofers,[3] however, stipulate that the members of a negro local union may transfer only to a negro local union.[4]

[1] See Official Journal of the Painters, Decorators and Paperhangers, August, 1902, p. 198; April, 1903, p. 215; August, 1906, p. 506; The Carpenter, January, 1903, p. 3; April, 1903, pp. 6–7; Report of President, Bricklayers and Masons, 1904, p. 218; and Report of Secretary, 1905, p. 353.

[2] Constitution, 1907, Art. XII, Sec. 11.

[3] Statement of national secretary made in interview with the writer.

[4] Statistics of the number of negro unionists are not kept by the unions. Estimates in 1910 by union officials as to the number of

The national unions promote organization of negroes in separate and in mixed unions by repeated advocacy of the admission policy, and by directing and requiring, as far as possible, the local unions to admit negro applicants without discrimination in all disputed cases. A typical statement of policy is that of the Tobacco Workers that they "will draw no line of distinction between creed, color or nationality."[1] The Bricklayers and Masons impose a fine of one hundred dollars on any local union or any member guilty of discrimination against any member by reason of race or color.[2] The Operative Plasterers impose a fine of the same amount upon a member or members who, by refusing to work with another member on account of race or nationality, may cause him to lose his job.[3] When disputed cases over the admission of negroes have been appealed to the national officers, it is found usually that the local unions are directed to admit the negro applicant. Cases of this character have occurred frequently, for example in the Journeymen Barbers' International Union,[4] the United Brotherhood of Carpenters and Joiners,[5] the Painters and Decorators,[6] and the Bricklayers and Masons.[7]

The general attitude of such national unions as have the negro question to deal with is shown in the following typical statement of policy by the Bricklayers' and Masons' executive board: "The colored bricklayer of the south is going to

negro members of mixed and separate local unions in the national organizations having probably the largest negro membership were as follows: United Mine Workers, "probably 40,000;" Cigar Makers, 5000; Hotel, Restaurant and Bar Employees, 2500; Teamsters, 6000; Carpenters' United Brotherhood, 2500. In 1903 the Freight Handlers had 400 negro members, and the Barbers 1000 (Report, New Jersey Bureau of Statistics, 1903, p. 193; The Barbers' Journal, 1903, p. 57).

[1] Constitution, 1900, Resolutions, p. 47; Constitution, 1905, Resolutions, p. 47.

[2] Constitution, 1908, Art. XVI, Sec. 2, Cl. 11.

[3] Constitution, 1908, Art. VII, Sec. 19.

[4] The Barbers' Journal, April, 1903, p. 215.

[5] The Carpenter, March, 1903, p. 57.

[6] Official Journal of the Painters, Decorators and Paperhangers, January, 1903, p. 3.

[7] Proceedings, 1905, p. 48.

lay brick, whether we take them under our care or not, and this fact being conceded, the Board maintains that his proper place is within our fold. . . . The Board objects to the color line being drawn and put up as a bar to keep these people from becoming Union men . . . and maintains that where the colored bricklayer or mason is not allowed into membership with the white bricklayer or mason, he must, where sufficient numbers warrant it, be granted the right to organize into a separate Union."[1] The national unions, furthermore, through the work of their general organizers, are directly bringing negroes into membership.[2] The Painters and Decorators[3] and the United Brotherhood of Carpenters and Joiners[4] have employed special colored organizers to form negro unions. In 1906 the president of the Brotherhood of Painters and Decorators stated the conditions which warranted an organizing campaign as follows: "The colored painters of the South are numerous, and upon their organization largely depends the possibility of obtaining better conditions, not only for themselves but for the white painters also."

Ordinarily the unimpeded admission of negroes can be had only where the local white unionists are favorable. Consequently, racial antipathy and economic motive may, in any particular community, nullify the policies of the national union. Various instances of local discrimination against negroes have arisen which excluded them from membership (1) by denying them admission to the union of the whites, or (2) by refusing consent to charter a separate negro local union, or (3) by rejecting a negro applicant holding a transfer card.

(1) Denial of admission to white local unions is probably the commonest cause operating to exclude negroes. In 1893 an independent local union of bricklayers in Philadel-

[1] Report of President, 1902, Case No. 58, pp. 291–294.
[2] Report of President, Bricklayers and Masons, 1904, Case No. 62, p. 218.
[3] Official Journal of the Painters, Decorators and Paperhangers, August, 1906, p. 506.
[4] The Carpenter, January, 1903, p. 3.

phia refused to affiliate with the national union because of unwillingness to forego its practice of excluding negroes.[1] In 1902 the local union of bricklayers of Dallas, which for two years or more had debarred negroes, was ordered to eliminate the color membership qualification from its constitution.[2] A case of similar exclusion by a local union in Sumter, South Carolina, was disapproved by the national union in 1904.[3] In 1903 a number of negro carpenters were unable to gain admission into the local union of Atlantic City, and a similar situation developed in Birmingham, Alabama. The United Brotherhood was without power to effect a remedy, and only recommended to the local unions that "as far as our brotherhood is concerned the drawing of the color line should be stopped at once and for all time."[4] In 1908 four negro molders were denied admission into the local union of Indianapolis.[5] The national secretary of the Operative Plasterers states that negro plasterers could not gain admission to the Pittsburgh local union, or to local unions in many other places, particularly in the South. The secretary of the National Federation of Post Office Clerks states that sixteen negro applicants who could not secure membership in the white local unions of Atlanta, Georgia, were chartered as a separate local union.

(2) Local opposition to negro members does not, however, always end with denying admission to negro applicants.[6] The granting of separate charters for negro workmen has at times also been opposed, and has occasioned considerable friction in some trades. This has been made possible by the fact that jurisdiction over a specified territory has long reserved to a local union the right to refuse

[1] Report of President, 1893, p. 90.
[2] Report of Secretary, 1902, p. 347.
[3] Report of President, 1904, p. 96.
[4] The Carpenter, January, 1903, p. 3.
[5] Iron Molders' Journal, May, 1908, p. 371.
[6] A member of the plumbers' local union of Norfolk, Va., in 1905 commended a state law passed in that year for licensing plumbers, on the ground that it would eliminate negroes from the trade (Plumbers, Gas and Steam Fitters' Official Journal, May, 1905, p. 16).

its consent to charter another local union in the locality. Thus, for example, in 1875 the Bricklayers and Masons amended the law under which charters were granted so that no charter should be granted in a place without the consent of the existing local union.[1] Under this rule (and this is similar to rules in many unions) white local unions can not only refuse to admit negroes but can prevent the chartering of a separate negro local union. As early as 1870 the president of the Bricklayers' Union had recommended that the question of empowering the national union to issue charters to societies of colored bricklayers should be decided, although at that time no application for such charters had been received.[2] A proposal to organize the negro having been voted down in 1876, no further action was taken, until in 1883 and 1884 the national president again proposed that separate charters should be issued to negroes when deemed advisable by the executive board.[3] The question was submitted to a vote of the subordinate unions, and approved by a substantial majority, but opposition to chartering separate unions was still so strong that the general secretary reported that "through a mutual understanding between the members of the executive board it was deemed best not to exercise the power vested in them."[4] In 1902 the refusal of the white Bricklayers' and Masons' local unions in Washington, D. C., and in Richmond, Virginia, to consent to charter a separate negro local union in each of these cities again drew the attention of the national union. In 1903 the union provided that when a subordinate union refused to consent to the granting of a charter to a new local union simply on account of race, nationality, or religion, the executive board should have discretionary power to grant the charter.[5]

[1] Proceedings, 1875, p. 39.
[2] Proceedings, 1870, p. 37.
[3] Proceedings, 1876, p. 9; Proceedings, 1883, p. 14; Proceedings, 1884, p. 7.
[4] Proceedings, 1884, p. 21.
[5] Constitution, 1903, Art. 13, Sec. 1; Report of President, 1902, pp. 153, 290–294.

The United Brotherhood of Carpenters and Joiners in 1886 modified its rules so that more than one charter might be issued in the same locality provided the existing local union offered no reasonable objection.[1] Although the Cigar Makers' International Union removed the color qualification from its rules in 1879, the local unions remained free to debar negro applicants and to prevent the formation of separate negro local unions. At the president's recommendation in 1893 the rule was changed, giving the national executive board discretionary power to form new local unions in any place.[2] Other national unions, such as for example the Painters, the Sheet Metal Workers, the Plumbers, the Stationary Firemen, the Coopers, the Foundry Employees, and the Tailors, require the consent of an existing local union before a second local union may be formed in any locality. By this means negroes may be prevented from organizing, and the policy of the national unions may be disregarded by the prejudice of a local union.[3]

(3) Finally, local antagonism may discourage the unionizing of negroes through the refusal of certain local unions to accept the transfer cards of travelling negro members.[4] It is impossible to measure or to know the extent to which this form of discrimination actually prevails. The national agreement presumably binds each local union to admit the transferred members of all the other local unions, except that in the Electrical Workers, the Bridge and Structural Iron Workers, the Bricklayers and Masons, the Carpenters,

[1] Constitution, 1886, Art. III, Sec. 3.

[2] Proceedings, 1893, pp. 5, 34.

[3] In 1902 a local union of negro stationary firemen in Chicago could not be chartered because the white local union would not give its consent (Stationary Firemen's Journal, April, 1902, p. 5).

The secretary of the Brotherhood of Painters, Decorators and Paperhangers states that the painters' local union of Tampa, Fla., has refused for several years to consent to grant a charter to a separate local union of negroes, and that the same condition obtains in Memphis, Tenn.

[4] In most unions an appeal may be taken by a rejected negro applicant, or by a negro member whose card is not accepted, to the national officers or to the national convention. See above, p. 30.

the Plumbers, the Steam Fitters, and the Steam Engineers workmen with travelling cards may be rejected when considered incompetent.[1] Under the guise of a test for competency, negro travelling members may be excluded from those trades. Instances of discrimination have occurred, however, without the pretext of incompetency as a justification of exclusion.

In the Bricklayers' and Masons' International Union the question whether a negro member must be accepted by another local union was at first decided in favor of local union discretion; more recently the union has on several occasions enforced the recognition of a negro's travelling card.[2] A rule imposing a fine for discrimination on account of race has been adopted and at times enforced. Thus, in 1903, a negro bricklayer with a transfer card was discriminated against by the Indianapolis union. Although the card was accepted, the members as individuals quit work on the job when the negro went to work. He appealed to the national union, and a fine of one hundred dollars was placed upon the local union.[3] In 1904 the Louisville, Cincinnati, and Indianapolis local unions of Bricklayers and Masons each debarred a negro unionist with a card.[4] The national secretary in 1905 expressed the opinion that discrimination against negroes had retarded the progress of the organization, and advocated a liberal policy.[5] Instances of refusal to accept a transfer card from a negro have occurred in the Painters, Decorators and Paperhangers and in the United Brotherhood of Carpenters and Joiners, but have

[1] See above, p. 73.

[2] Proceedings, 1881, pp. 7, 26.

[3] Report of President, 1903, pp. 11–16; Proceedings, 1905, p. 48; Constitution, 1908, Art. XVI, Sec. 2.

[4] Report of President, 1904, p. 218.

[5] "Capital knows no creed, nationality, or race, where its interests are concerned, and we as a large, influential and intelligent body of working men must be guided in the same footsteps. Unless we are prepared to do this, and accord them [negroes] every protection in an economic sense, the spirit of resentment . . . will grow to such an extent that the interests and welfare of the white bricklayer will be placed in jeopardy whenever trouble with employers takes place" (Report of President and Secretary, 1905, p. 353).

rarely been appealed to the national unions.[1] Owing to the racial character of the antagonism and to the relatively small risk from negro competition in most trades, it seems safe to assert that negroes with cards of admission may in a majority of unions[2] be rejected at the discretion of any local union, although such rejection violates the national agreement and often contravenes the policy of the national union.[3]

All available estimates of the number of negroes in particular national unions indicate that negro mechanics and laborers form but a relatively small part of the total trade-union membership of the country. Only six national unions—the United Mine Workers, the Teamsters, the Cigar Makers, the Hotel, Restaurant and Bar Employees, the United Brotherhood of Carpenters and Joiners, and the Barbers—are estimated to have each more than one thousand negro members.[4] Of other unions having less than a thousand members a large number are reported as having even less than a hundred.[5] The small extent of negro membership is further illustrated by the fact that in New Jersey in 1903 only 54 negroes were reported as holding membership in trade organizations with white men, and that in 1906 there

[1] A local union of Carpenters in 1905 refused to admit a negro member with a card from the Boston local union. Similarly, in 1908 the Baltimore Painters refused to accept two negroes with cards from a local union in Mississippi.

[2] A national officer of the Steam Engineers, the Sheet Metal Workers, and the Molders stated to the writer that negroes with cards would not have to be accepted by local unions.

[3] Discrimination rests generally on a combination of economic and racial grounds. It does not seem to be sectional, although there may be more discrimination in Southern cities than in Northern. There are, however, relatively fewer negroes proportionately to total population in Northern cities. In cases referred to above it has been seen that in Connecticut in the late sixties negroes were not wanted in the unions. In 1893 an independent local union of Bricklayers and Masons in Philadelphia was kept out of the International Union because its constitution contained this clause: "No person of color shall be admitted to membership in this Association" (Report of President, 1893, p. 90). Instances of discrimination are found in Indianapolis, Cincinnati, Baltimore, and Philadelphia, as well as in Tampa, Dallas, Memphis, and Charleston.

[4] See above, p. 123, n. 4.

[5] See above, p. 122, n. 2.

were only 1388 negro unionists in New York City, or a little over 5 per cent. of the estimated male negro working population.[1] The fact that negroes thus form only an insignificant proportion of the body of organized laborers has resulted from several contributing causes.

In the first place, the negro population is relatively small in the North where unionism is strongest. During the forty years from 1860 to 1900 the percentage of negroes in the total population of the North has remained about the same; in the former year the negro element was 1.7 per cent. and in the latter, 1.8 per cent.[2] Consequently, the number of negro unionists would be expected to remain small relative to the whole negro population of the country.

Secondly, by long-prevailing custom, due in part to individual inclination, in part to economic circumstance, negroes have largely confined themselves in the South to agricultural pursuits and in the North to personal and domestic service. Workers within these grades of labor do not maintain trade unions. The character of their occupations is, therefore, such as to exclude the mass of negroes from labor organizations.

Coming directly to the question why there is a notable lack of organization among negro workmen engaged in the organized trades, we find that the situation has evoked at least three distinct explanations. First, the inefficiency of the negroes as workmen has been advanced as an explanation of their unorganized condition. It is asserted that habits of mind and body tend to make the negro an unsteady workman, and that he does not, therefore, become a reliable unionist. Opinion is, however, conflicting and testimony contradictory as to the competency and loyalty of negroes as union workmen. It may certainly not be concluded that negroes employed in the organized trades re-

[1] Report of New Jersey Bureau of Labor Statistics, 1903, pp. 211–212; Annals of American Academy of Political and Social Science, May, 1906, p. 551.

[2] Wright, "The Migration of Negroes to the North," in Annals of American Academy of Political and Social Science, May, 1906, p. 572.

main unorganized because of inefficiency, since they are sufficiently competent to be employed in many of these trades, and since in certain trades in particular places they are admitted to union membership. For example, considerable numbers of negroes are employed as machinists and car workers, but they do not become members of the unions in these trades. The reason is evidently not that they are incompetent to perform the work. Again, colored bricklayers, painters, carpenters, longshoremen, and cigar makers have been admitted into the unions in certain localities, while in other instances they have been excluded. This diverging practice must likewise be explained on other ground than that of the inefficiency of negro workmen. But whether or not the negro workman can become as competent as the white mechanic, he has usually hitherto engaged in the less skilled ranks of employment where unions are less frequent or are poorly maintained. The unions reporting the largest negro membership, such as the United Mine Workers, the Cigar Makers, the Teamsters, and the Barbers, represent semi-skilled or unskilled trades. While, therefore, a low standard of workmanship among negroes as a class has necessarily tended to confine them within certain trades or grades of labor, it is inadequate to state that negroes remain outside the unions in whatever trades they may engage because of their inefficiency as workmen.

Racial difference which is felt and recognized by workmen of all grades is a second element which in part explains the lack of organization among negroes. It is impossible to determine to what extent race feeling is responsible and effective in debarring negroes from trade unions. Undoubtedly it is a controlling consideration in those unions which, like the Switchmen, the Machinists, the Maintenance-of-Way Employees, and the Wire Weavers, prescribe a color qualification for membership. The opinions expressed by union leaders confirm the view that race prejudice is a chief ground of opposition to the negro. Cases of local discrimination against negroes are largely inspired by

race hostility. There are cases in which negroes are excluded solely on account of their color, and there have been cases in which the formation of separate unions for negro workmen has been prevented by the opposition of a local white union.

But unions are not responsible for race discrimination, nor do they create and foster it. They find that it exists, and at times acquiesce in the discrimination. But it must be remembered that the vast majority of unions which have to deal with negroes do not prescribe a color qualification for admission, while discrimination by local unions is usually discountenanced by the national union. Only some twelve national unions, including the Locomotive Engineers, the Locomotive Firemen, the Switchmen, the Maintenance-of-Way Employees, the Wire Weavers, the Railroad Trainmen, the Railway Carmen, the Railway Clerks, the Railroad Telegraphers, the Commercial Telegraphers, the Boiler Makers and Iron Ship Builders, and the Machinists, persist in regarding negroes as ineligible for membership. It is difficult here to determine at just what point race prejudice ends and economic motive begins. But since the number of negroes engaged in these occupations is small, it seems probable that the discriminatory position of the unions has its ground largely in social or racial antagonism.

Finally, economic motive, always hostile to any increase in the number of workers and possible decrease in wages, has probably been the strongest single factor in the exclusion of negroes from trade organizations. The desire to maintain wages, rather than race prejudice, in the last analysis controls the acts and policies of unions. Experience has taught union leaders that wages are more securely maintained by unionizing negroes along with other workers than by refusing to work with them. Thus the exclusion of negroes, enforced under union rule by the Cigar Makers during the first fifteen years of their organization, may be contrasted with the present policy whereby the union has admitted five thousand negro members. Longshoremen

rioted in the early sixties in New York on account of the invasion of negroes into their field of labor, but longshoremen now sit with negro delegates in regular attendance at their annual conventions. Furthermore, the unions in those trades in which negroes are largely engaged either advocate or actively promote the unionization of negroes, although in some instances they are impeded in pursuing a consistent policy by the acts of particular local unions.

CHAPTER VII

SEVERANCE OF MEMBERSHIP

The right of any voluntary association to determine its membership and to regulate the conduct and action of each member in so far as such action affects the common interest may warrant a union in compelling any member under certain contingencies to sever active membership. Three forms of severance of membership are employed: (1) withdrawal, (2) suspension, (3) expulsion.

(1) *Withdrawal.*—A workman quitting a trade may obtain from any union a withdrawal card certifying that all indebtedness is paid and entitling the holder to reinstatement at any time. A workman who advances to the position of foreman, employer, contractor, or stockholder may, however, be required to withdraw. In 1872 the Iron Molders made provision for issuing an honorary card, at the discretion of any local union, to a workman becoming a foreman.[1] Among the Molders the fear of the foreman continued to be shown from time to time. At the session of the union in 1876 a resolution was proposed debarring foremen from local union meetings. Since 1886 a fine ranging from fifty to two hundred dollars has been provided for any foreman using his position to the detriment of the union. Fines for this offense were imposed by the Richmond local union in 1891 and by the Pittsburgh union

[1] The International Journal, October, 1873, pp. 135–136. The American Federation of Musicians in 1898 provided that whenever any member enlisted in the army or navy his membership should become null and void (Constitution, 1898, Standing Resolution No. 8, p. 20). The Bakery and Confectionery Workers in 1906 adopted a rule requiring any member joining the militia to withdraw from the union (Constitution, 1906, Art. VII, Sec. 16). The United Brotherhood of Carpenters since 1886 have provided for excluding any member who engages in the sale of liquor (Constitution, 1886, Art. XIX, Sec. 1; Constitution, 1909, Sec. 138).

in 1893.[1] Finally, in 1895, the union decided to require any foreman molder to withdraw from membership.[2]

Prior to 1889 the Cigar Makers debarred foremen. At that time a foreman having less than two journeymen under him might remain a member. Since 1893 the union has excluded a foreman only when he employs more than six workmen.[3] Other unions which exclude foremen include the Garment Workers,[4] the Iron, Steel and Tin Workers,[5] the Tobacco Workers,[6] the Print Cutters,[7] the Tin Plate Workers,[8] the Metal Polishers, Buffers, Platers and Brass Workers,[9] and the Cloth Hat and Cap Makers.[10] The Paving Cutters,[11] the Brewery Workers,[12] and the Upholsterers[13] require a foreman to withdraw only in case his entire time is employed in performing foremanship duties, and he may not do any journeyman work. Some unions, such as the Printers,[14] the Photo-Engravers,[15] and the Marble Workers,[16] require foremen to be members. In other unions local union discretion prevails.

The variation in practice with reference to the membership of foremen may be partly explained by the character of work in different trades and by the extent to which a foreman continues to work as a journeyman and to associate with the workmen. In the printing trades the work and

[1] Constitution, 1886, Art. XIII, Sec. 5; Iron Molders' Journal, July, 1881, p. 18; May, 1893, p. 12.
[2] Constitution, 1895, Art. XI, Sec. 2.
[3] Constitution, 1879, Art. IV, Sec. 2; Constitution, 1889, Art. IV, Sec. 2; Constitution, 1893, Art. V, Sec. 1.
[4] Constitution, 1891, Art. XIV, Sec. 5.
[5] Constitution, 1909, Art. XVII, Sec. 16.
[6] Constitution, 1900, Sec. 35.
[7] Constitution, 1904, Art. IX, Sec. 4.
[8] Constitution, 1905, Art. I, Sec. 1.
[9] Constitution, 1905, Art. XXXIX, Sec. 1.
[10] Constitution, n. d., Art. XV, Sec. 3.
[11] Constitution, 1906, Art. X, Sec. 2; Constitution, 1909, Art. X, Sec. 2.
[12] Constitution, 1906, Art. XI, Sec. 8; Constitution, 1908, Art. XI, Sec. 8.
[13] Constitution, 1908, Sec. 103.
[14] General Laws, 1899, Sec. 6.
[15] General Laws, 1904, Sec. 27.
[16] By-Laws, 1905, Sec. 17.

the duties of a foreman usually keep him in close touch with the journeymen. He may indeed perform some of the regular work of a journeyman. On the other hand, a foreman in the steel trade, in tin plate mills, or in a tobacco factory has a large number of workmen of various grades under him with whom he does not continue to work in close personal contact. The identity of interests of foremen and workmen in a measure ceases here to exist. The foreman, having power to hire and discharge, becomes accustomed to conduct business from the point of view of an employer, while unionists begin to doubt his allegiance and loyalty to the union and desire his withdrawal.

In certain trades, such as cigar making and the building trades, a very small amount of capital is required to begin business, and workmen may pass readily to employing or contracting. In such instances union policy may regard the membership of the small employer as of doubtful advantage if not undesirable. The question as to the right of a cigar manufacturer or employer to retain union membership was first raised in 1879. It was then provided that employers should be debarred. The union decided in 1885 that each local union might determine its own course.[1] In 1889 the president of the union recommended that a manufacturer employing any journeyman cigar maker should be denied membership.[2] This recommendation has since been adopted. Since 1890 the Bakers have required that any member beginning business as an employer while working at the trade shall withdraw from the union.[3] The Barbers in 1892 began requiring the exclusion of any barber who employed journeymen steadily.[4] Since 1895 the Lithographers have compelled any member acquiring stock in the business to withdraw.[5] The Retail Clerks demand the withdrawal of a

[1] Cigar Makers' Official Journal, November, 1879, p. 1; Constitution, 1879, Art. IV, Sec. 2; Constitution, 1885, Art. IV, Sec. 3.
[2] Proceedings, 1889, p. 7; Constitution, 1889, Art. IV; Constitution, 1896 (21st ed.), Sec. 64.
[3] By-Laws, 1890, Art. II, Sec. 3.
[4] Constitution, 1892, Art. VIII, Sec. 2.
[5] Constitution of Subordinate Associations, 1895, Art. I.

member holding as much as five hundred dollars' worth of paid-up stock in a mercantile business.[1] In the building trades the unions ordinarily permit local discretion as to the retention or exclusion of members who become contractors.[2]

A workman who has desired or has been required to withdraw from membership for any of the above reasons does not, however, completely sever his union connection. This is shown, first, by the fact that a withdrawal card ordinarily entitles the holder to reinstatement.[3] Second, by the payment of certain dues a member who has withdrawn may receive friendly benefits. Thus, since 1876 the Molders have permitted withdrawn workmen to retain a right to union benefits by paying the regular dues.[4] In 1892 the Stone Cutters granted to withdrawn workmen a right to the funeral benefit.[5] Third, in case of application for reinstatement the workman is held responsible for anti-union conduct during the term of withdrawal. The rule of the Machinists is typical: "Members holding honorary retiring cards shall be under the jurisdiction of the International Association of Machinists and liable to its laws for violation of its principles."[6] Similarly, the Brewery Workmen provide that the card of a withdrawn member who acts detrimentally to the interest of the union shall be null and void.[7]

(2) *Suspension.*—A workman who neglects to pay dues, fines, and assessments or who otherwise violates union regulations subjects himself to discipline in the form of either suspension or expulsion. Temporary suspension from a union is ordinarily the punishment for non-payment of in-

[1] Constitution, 1909, Sec. 8.

[2] Proceedings, Bricklayers and Masons, p. 166; Constitution, Painters, Decorators and Paperhangers, 1898, Art. VII, Sec. 5; Constitution, 1910, Sec. 29.

[3] The provision of the Boot and Shoe Workers' Union, for example, is: "Such withdrawal card shall reinstate the member in lieu of initiation fee . . . whenever the member secures work at the trade" (Constitution, 1909, Sec. 93).

[4] Constitution, 1876, Art. XVIII, Sec. 9; Constitution, 1907, Art. XVII, Sec. 8.

[5] Constitution, 1892, Art. X; Constitution, 1909, Art. VI.

[6] Constitution, 1909, Art. X, Sec. 3.

[7] Constitution, 1906, Art. VI, Sec. 11.

debtedness and for less flagrant violation of rules than that which brings expulsion. The necessity for a limit upon indebtedness was early recognized.[1] The International Union of Cigar Makers in 1865 provided that an arrearage of three months in dues should cause a member to be suspended.[2] In some cases the national unions have prescribed a debt limit. Thus after 1876 the Molders required that any member owing $5 at specified dates should be suspended.[3] In 1902 the Barbers provided that indebtedness from any cause to the amount of $1.20 should be cause for suspension.[4] The union generally fixes a definite time beyond which an arrearage shall automatically suspend the debtor. Thus, an arrearage of four months suspends a member from the Typographical Union.[5] The time varies from four weeks, as in the Tobacco Workers' International Union,[6] to twelve months—the limit enforced by the Granite Cutters' International Association.[7]

Suspension for indebtedness is usually automatic, and requires no formal action by the local union. The Painters, Decorators and Paperhangers[8] and the Steam Fitters[9] provide that a vote of the local union shall not be necessary to suspend a member who owes three months' dues. The time limit is not, however, rigid, and an extension is granted by some unions in favor of members out of employment from sickness, strike, or disability. The Molders exempt their unemployed and disabled members from dues.[10] The Plumbers likewise prohibit any local union from suspending a member

[1] The Stone Cutters' Union of Chicago, in July, 1857, adopted a resolution to strike against certain delinquents in arrears for over three months "who for a long time had baffled the Association" by not paying monthly dues (Stone Cutters' Circular, August, 1857, p. 3).
[2] Constitution for Local Unions, 1865, Art. III, Sec. 2.
[3] Constitution, 1876, Art. XII, Sec. 5.
[4] Constitution (in effect January 1, 1902), Sec. 77.
[5] Proceedings, 1909, p. 201.
[6] Constitution, 1900, Sec. 111; Constitution, 1905, Sec. 43.
[7] Constitution, 1909, Sec. 66.
[8] Constitution, 1908, Sec. 46.
[9] Constitution, 1906, Sec. 113.
[10] Constitution, 1907, Art. XVII, Sec. 10.

during sickness, strike, or lockout.[1] The Tobacco Workers extend the time limit to twelve weeks in the case of unemployed members.[2]

A few unions purposely avoid expulsion as a mode of discipline for even the most serious infraction of regulations, and punish the offender by fine and suspension. The Bricklayers and Masons thus provided in 1897 that it should not be lawful for a local union to expel a member. The offender could only be "fined and to stand suspended or dropped from membership until paid."[3] The Metal Polishers, Buffers, Platers and Brass Workers' International Union for two years prior to 1900 refused to expel members.[4] Since 1904 the Wood Workers have enforced suspension with fines as the severest penalty.[5] The preference for suspension as a form of discipline is due partly to a feeling that expulsion is often too severe a punishment and partly to fear of litigation in the courts in cases of expulsion.

Ordinarily, however, unions employ suspension, in addition to its use as a discipline for indebtedness, to punish members for violations less serious than those which cause expulsion. Thus the International Molders' Union since 1895 has required any local union to punish an infraction of the rules by reprimand, suspension, or expulsion, according to the seriousness of the offense.[6] Offenses which entail suspension are not usually specifically enumerated, but are stated only in general terms, as for example participation in unsanctioned strikes,[7] dishonesty in handling union funds, anti-union conduct, and excessive use of liquor.[8]

[1] Constitution, 1908, Sec. 158.
[2] Constitution, 1905, Sec. 43.
[3] Constitution, 1807, Art. XIV, Sec. 3, Cl. 5; Constitution, 1908, Art. XVI, Sec. 2, Cl. 10.
[4] Proceedings, 1900, p. 15.
[5] Constitution, 1904, Sec. 78.
[6] Proceedings, 1895, p. 95.
[7] Thus the Molders' International Union in 1907 made it mandatory upon the president and executive board to suspend any member participating in an unsanctioned strike (Iron Molders' Journal, September, 1907, p. 652; Constitution, 1907, Art. VII, Sec. 3).
[8] The Switchmen's Union requires the suspension after a trial of any member "guilty of drunkenness or other immoral conduct"

A suspended member loses for a time the social privileges, financial benefits, and employment opportunities afforded by the union. The period of suspension may be definitely fixed. Thus the Switchmen,[1] the Brewery Workmen,[2] and the Glass Bottle Blowers[3] permit the local unions to impose a stated term of suspension, only after which may the workman be reinstated. In most unions the time is indefinite, and a money penalty is fixed the payment of which secures reinstatement. The Bakery and Confectionery Workers define suspension as meaning "to be deprived of all benefits and privileges of the local and international union and of all right to take any part in the proceedings."[4] The Carpenters' and Joiners' United Brotherhood deny to any member who is in "bad standing" from owing three months' dues the password, a seat, or any office in local union meetings.[5] The Wire Weavers debar a suspended workman from the right to speak or vote on any question before a local association.[6]

Claims for benefits on account of sickness or accident occurring during suspension are of course invalidated. A suspended member may even be denied the right to receive any financial benefits until a specified time elapses after reinstatement. Since 1888 the United Brotherhood of Carpenters and Joiners have provided that a member in "bad standing" is not entitled to benefits for three months after reinstatement.[7] The Granite Cutters[8] withhold benefits for six months, and suspended molders may not receive sick benefits until twelve months have passed.[9]

for the first offense, and expulsion for the second offense (Constitution, 1903, Sec. 272; Constitution, 1909, Sec. 272). See also Constitution, Wire Weavers, 1900, Art. VI, Sec. 5.

[1] Constitution, 1903, Sec. 223.

[2] Brauer-Zeitung, August, 30, 1902, p. 4.

[3] Constitution, 1910, Art. IX, Secs. 51, 57.

[4] Constitution, 1909, Art. VIIa, Sec. 4.

[5] Constitution, 1909, Secs. 108, 109.

[6] Constitution, 1900, Art. VI, Sec. 10.

[7] Constitution, 1888, Art. X, Sec. 1; Constitution, 1899, Sec. 89.

[8] Constitution, 1880, Art. XVI; Constitution, 1905, Sec. 89; Constitution, 1909, Sec. 68.

[9] Constitution, 1902, Art. XVII, Secs. 1–13; Constitution, 1907, Art. XVII, Secs. 1–13.

Probably the most severe penalty ordinarily involved in suspension is loss of work. Some unions permit suspended workmen to continue in employment. Thus the president of the Window Glass Workers' Local Assembly 300 ruled in a decision in 1899 that suspended members should not be prevented from working.[1] The National Brotherhood of Operative Potters recognize in their rules that a suspended member may continue to work at the trade.[2] Ordinarily, however, unions desire, as a measure of discipline, to deprive suspended members of work.[3] Thus the Flint Glass Workers provide that "suspended members shall not be allowed to work until restored to membership."[4] Likewise the Brewery Workmen[5] and the Glass Bottle Blowers[6] provide definitely for loss of work through suspension. The effectiveness of the exclusion depends of course upon the extent of the trade controlled by the union and upon the ability of workmen to find employment in non-union establishments.

Although deprived of the advantages of membership, a suspended member is ordinarily regarded as retaining some connection with the union.[7] In the first place, if he seeks

[1] Proceedings, 1899, p. 94.

[2] Rules and Regulations, 1910, Sec. 117.

[3] In 1909 a member of Marine Engineers' Beneficial Association No. 33, of Seattle, Wash., was suspended indefinitely from work for "superseding" a fellow member on a position. An appeal was taken to the president of the national association. The action of the local association was sustained (Proceedings, 1910, pp. 87, 276, 277).

[4] Constitution of Local Unions, 1903, Art. XI, Sec. 1; Constitution, 1910, Art. XI, Sec. 1.

[5] Constitution, 1901, Art. III, Sec. 7; Constitution, 1908, Art. III, Sec. 7. In 1902 a member of Brewery Workers' Local Union No. 109, of Fort Worth, Tex., appealed to the executive board against a decree of the local union suspending him from work for six months. The board decided to reduce the term to three months. In a similar case in 1907 the suspension was reduced from six months to four weeks (Brauer-Zeitung, August 30, 1902, p. 4; March 16, 1907, p. 1).

[6] Constitution, 1910, Art. IX, Secs. 51, 57.

[7] The Elevator Constructors' Local Union No. 2 of Chicago states: "Suspension for non-payment of dues holds good until the member pays up all arrearages, not only the amount due when suspended, but also for the time during suspension. Suspension does not sever membership, but deprives the member of the right to receive any of the benefits, rights or privileges of members in good standing" (Constitution, 1902, Art. XVI).

reinstatement, any indebtedness due at suspension is collected, and he may also be charged for any assessment and fines,[1] or for dues accruing during the term of suspension.[2] He is also held to account for anti-union conduct. In some cases, as in the Molders' International Union,[3] a suspended member is subject to trial, and may be expelled by a local union for any violation of rules in the same manner as is any active member.

(3) *Expulsion.*—As has been indicated, a member flagrantly violating established rules or principles may be expelled and denied further claim to recognition. Expulsion is the most severe method of discipline, and at a very early date unions began to guard carefully its exercise.[4] Thus in 1870 the National Forge of the United Sons of Vulcan provided that any member acting in a manner unworthy of

[1] Book of Laws, International Typographical Union, 1910, p. 50, Sec. 66. See also Machinists' Journal, February, 1902, p. 91, and Subordinate Lodge Constitution, 1909, Art. IV, Sec. 17.

[2] The International Association of Granite Cutters requires its local branches to impose a monthly charge of $1.25 for the period the suspended member has been in arrears and suspended up to thirty-six months (Constitution, 1909, Sec. 66).

[3] Constitution, 1876, Decision 46, p. 36; Constitution, 1899, Art. XIV, Sec. 9. The Iron Molders' Local Union No. 128, of Richmond, Va., in 1891 fined a suspended member $50 and expelled him for "scabbing" (Iron Molders' Journal, November, 1891, p. 19).

[4] The Journeymen Black and White Smiths' Beneficial Society of Philadelphia, chartered in 1829, provided in Article XI, Section 2, of their charter: "No member shall be expelled without first having a copy of the charge or charges preferred against him, with a notice of the time and place of trial, requesting his attendance to show cause why he shall not be expelled" (Quoted in 2 Wharton Supreme Court Reports, Pennsylvania, p. 310).

President W. H. Sylvis of the Iron Molders' International Union at the ninth session in 1868 reported as follows: "The Constitution is silent on the subject of expulsion of members. Much trouble and no little injustice has been the result of this silence. The law should specify the offenses punishable by expulsion, and it should grant to every man a fair trial on all charges preferred, and the president should have power to set aside the action of any union by which punishment has been inflicted without a legal trial. He should also have power to grant pardon in certain cases. This is necessary to prevent persecution and secure justice" (Proceedings, 1868, p. 28).

In 1870 the president of the Bricklayers' and Masons' National Union made almost identical recommendations in his report to the annual session of the union (Proceedings, 1870, p. 32).

membership might be expelled after a hearing before his accusers, by a two-thirds vote of the total lodge.[1] In disputed cases the national union officers insisted that the ordinary principles of jurisprudence governing the rights of accused persons should be observed.[2] In 1874 the Iron Molders' International Union approved a decision of its president that a member might not be expelled except in conformity with detailed rules requiring that a trial should be granted.[3] In 1893 the International Association of Machinists instructed a local union to grant an expelled member a new trial.[4] The Amalgamated Association of Iron and Steel Workers,[5] the Flint Glass Workers,[6] the United Brotherhood of Carpenters and Joiners,[7] the Bakery and Confectionery Workers,[8] the Glass Bottle Blowers,[9] the Garment Workers,[10] and the Journeymen Barbers[11] early prescribed that a trial should be granted any member accused of a serious offense. In 1892 the Bricklayers and Masons, on the recommendation of the secretary, adopted rules guaranteeing a fair trial.[12] Practically all unions at the present time make similar stipulations.

The power to expel has also been held in check (*a*) by provisions specifying the number of votes which are neces-

[1] By-Laws, 1870, Art. VII, Sec. 1.

[2] The executive board of the Journeymen Bakers and Confectionery Workers in 1890 in a disputed case held that evidence showed that a fair trial had not been given an expelled member, and reinstated him (Bakers' Journal, November 22, 1890, p. 2).

[3] Constitution, 1876, Decision No. 7, Approved July, 1874, p. 32.

[4] Proceedings, 1893, p. 85.

[5] Subordinate Lodge Constitution, 1876, Art. IV, Sec. 1.

[6] Constitution, 1880–1881, Art. XIV, Sec. 3.

[7] Rules for Local Unions, 1886, Art. V, Sec. 5.

[8] By-Laws, 1886, Art. XIV, Sec. 5.

[9] By-Laws, 1888, Art. XIX, Sec. 59.

[10] Constitution, 1891, Art. XXII, Sec. 1.

[11] Constitution, 1892, Art. IV, Sec. 1.

[12] The secretary in his report to the convention stated: "From among the thousands of complaints and appeals that your executive officers have to consider we find that an exercise of arbitrary authority bordering on despotism is practised by some of our unions . . . on the theory that might makes right, and no opportunity for a defense is allowed to a member who may be charged with a supposed offense" (Twenty-Sixth Annual Report, 1891, p. 35; Proceedings, 1892, p. 106).

sary to inflict a sentence, and (*b*) by provisions granting to expelled workmen an appeal to the ultimate authority in the national union. Thus the Amalgamated Association of Iron and Steel Workers has required continuously that a two-thirds vote of the local union shall be necessary to expel.[1] In 1891 the United Brotherhood of Carpenters and Joiners adopted a similar regulation.[2] In 1907 the Molders provided that a three-fourths vote instead of the previously prescribed two-thirds vote should be necessary.[3] Other unions requiring a two-thirds vote include the International Typographical Union, the Printing Pressmen, the Lithographers, the Atlantic Coast Seamen, and the Commercial Telegraphers. The Order of Railroad Telegraphers prescribes that a unanimous vote of the local board of adjustment shall be necessary to impose the penalty of expulsion.[4]

The right of an aggrieved member to appeal against the decisions of a local union to the national union has usually been recognized by the unions.[5] By appeal an expelled member secures a reconsideration of his case by officers of the national union, who are removed from local conditions and are thus more likely to give an impartial decision. Expulsion for trivial or insufficient causes may be prevented. The national unions may reverse the action of the local union, or may order a new trial, or may mitigate the penalty.[6] Under a decision made in 1900 it was held that

[1] Subordinate Lodge Constitution, 1876, Art. IV, Sec. 1; Constitution, 1909, Art. XIV, Sec. 11.

[2] Constitution, 1891, Sec. 75.

[3] Constitution, 1876, p. 32; Constitution, 1907, Art. XIV, Sec. 6.

[4] Statutes, 1909, Sec. 85.

[5] Constitution of International Typographical Union, 1868, Art. I, Sec. 3; Constitution, Iron Molders, 1876, Art. IX, Sec. 5. A typical provision is that of the National Union of Journeymen Bakers, adopted in 1886: "If a member believes that he was unjustly deprived of his membership either by suspension or expulsion he can appeal to the National Executive Committee. Should such a member not be satisfied . . . he is entitled to an appeal to the convention which renders a final decision" (Constitution, 1886, Art. III, Sec. 5; Constitution, 1886 (21st ed.), Sec. 44).

[6] See, for example, Proceedings, Brewery Workmen, 1903, p. 145; Brauer-Zeitung, October 14, 1905, p. 4. In 1905 a brewery workman was expelled from Local Union No. 147, of Columbus, O., for

the president of the United Brotherhood of Carpenters and Joiners may order a new trial whenever he has evidence that the rules have not been complied with in a former trial.[1] Similarly in 1906 the Glass Bottle Blowers' Association[2] and the American Federation of Musicians[3] made provision for reopening cases for trial for the purpose of introducing new evidence.

In recent years a few unions have provided that a sentence of expulsion to be valid must be approved by the national union. In 1895 the president of the Molders' Union asserted that under the existing rules "a member may be expelled . . . for the most trivial offense with little regard to his constitutional rights of notice and fair trial; and in many cases where charges are preferred no opportunity is given the accused for defense."[4] Further limitation on the power to expel was provided by a rule requiring that the charges, testimony, and findings in each case of expulsion must be submitted to the national president and approved before the sentence becomes effective.[5] The Boot and Shoe Workers[6] in 1899 and the Pattern Makers[7] in 1909 adopted rulings that all expulsions must be approved by the national executive board.

Although the unions are ordinarily reluctant to exercise the power of expulsion and have consequently adopted restrictive regulations to prevent its abuse, members are expelled for serious offense or crime. The occasions for the infliction of the penalty are usually stated in very general

"scurrilous talk and other acts unbecoming a member." On appeal the punishment was reduced to a fine of $10, as the executive board deemed expulsion excessive. See also Journal of Painters, Decorators and Paperhangers, August, 1903, p. 470; Proceedings, Steam Engineers, 1903, p. 87; Proceedings, Marine Engineers, 1909, pp. 327–331.

[1] The Carpenter, August, 1900, p. 9.

[2] Proceedings, 1906, p. 164.

[3] Constitution, 1906, Art. VI, Sec. 7.

[4] Proceedings, 1895, p. 7.

[5] Proceedings, 1895, p. 95; Iron Molders' Journal, April, 1897, p. 176; November, 1897, p. 529.

[6] Constitution, 1899, Sec. 102; Constitution, 1909, Sec. 97.

[7] Proceedings, 1909, p. 26.

terms, and the local union determines whether or not a specific violation of rule is a sufficient cause for expulsion. Thus the Boot and Shoe Workers hold that any member may be expelled for "treason to the union or to the cause of labor."[1] A typical specification of general causes of expulsion is that of the Journeymen Bakers, namely, misrepresentation at admission, dishonorable conduct, defalcation, strike breaking, or prolonged arrearage in dues.[2] The Steam Fitters,[3] the Compressed Air Workers,[4] and the Amalgamated Society of Carpenters and Joiners[5] make provision for expelling any person who gains admission by false representation. The Switchmen[6] and the Shipwrights[7] expel members for excessive use of liquor. In some cases expulsion is prescribed for a minor offense. Thus since 1895 the Lithographers have expelled any member failing to pay dues and assessments for three months.[8] Since 1903 the Plumbers have forbidden any member to enlist in any military organization under penalty of expulsion.[9]

When a member deliberately commits a notorious offense, some unions inflict a sentence of expulsion without a trial. Thus the International Typographical Union has held since 1882 that "where a member has deliberately ratted it is not necessary that he should be cited for trial, but he may be summarily expelled."[10] The United Brotherhood of Carpenters and Joiners gives power to the local union to expel a member by a three-fourths vote without trial, "when the evidence is plain and the circumstances require immediate

[1] Constitution, 1899, Sec. 102; Constitution, 1909, Sec. 97.
[2] Constitution, 1886, Art. III, Secs. 2–6; Constitution, 1906, Art. VII, Sec. 5.
[3] Constitution, 1906, Sec. 87.
[4] Constitution, 1902, Art. II.
[5] Rules, 1887, Rule 6, Sec. 8.
[6] Constitution, 1909, Sec. 280.
[7] By-Laws, 1905, No. 26.
[8] Constitution of Subordinate Associations, 1895, Art. III, Sec. 2; Constitution, 1907, Art. IV, Sec. 2.
[9] Constitution, 1902, Sec. 143; Proceedings, 1904, pp. 82–83.
[10] Proceedings, 1882, p. 19; General Laws, 1910, Sec. 130. The Printing Pressmen and Assistants' International Union has a similar rule (Constitution, 1898, Art. XX, Sec. 14).

action."[1] In 1906 the Steam Engineers' International Union likewise provided that "where a flagrant offense is committed or trade rules violated," the rules requiring notice and delay for trial might be dispensed with, and the accused required forthwith to show why he should not be punished.[2]

Expulsion has been called the "capital punishment" of the workman in his relation to the union, and in some cases it constitutes permanent exclusion. But ordinarily expulsion serves only to make it very difficult for the expelled person to regain membership. Thus, while the United Brotherhood of Carpenters and Joiners prescribes that for certain causes of expulsion the workman "shall be forever debarred from membership," provision is also made for the readmission of former members.[3] In 1895 the president of the Molders' Union asserted that "expulsion should be the extreme penalty and when once pronounced against a member, the privilege of being reinstated should ever be denied him; but should he at any time desire to join the union his application should be considered as that of a new applicant."[4] In 1906 the Stereotypers' and Electrotypers' Local Union No. 24 of Omaha, Nebraska, expelled two members for ninety-nine years; but the sentence was modified by the announcement of the secretary of the union that the two men could make amends for the offense committed.[5] The Marine Engineers provide that expulsion shall be "for all time to come" unless the expelling subordinate association is granted permission by the national association to rein-

[1] Constitution, 1891, Sec. 170.
[2] Constitution, 1906, Art. IV, Sec. 2.
[3] "Any officer or member who endeavors to create dissension among the members, or who works against the interest and harmony of the United Brotherhood, or who advocates or encourages division of the funds or dissolution of any local union, or the separation of the local union from the United Brotherhood, or who embezzles the funds, shall be expelled and forever debarred from membership" (Constitution, 1909, Sec. 190). See also Constitution, 1891, Sec. 85; Constitution, 1909, Sec. 80.
[4] Proceedings, 1895, pp. 7, 8.
[5] International Stereotypers' and Electrotypers' Union Journal, February, 1906, p. 11.

state.[1] Usually an expelled member may gain readmission after an indefinite term of expulsion. In some unions a definite time is prescribed only after which may readmission be gained. The Iron, Steel and Tin Workers readmit expelled workmen after one month;[2] the Railroad Telegraphers regard an expelled member as ineligible within less than two years.[3]

[1] Constitution, 1904, Art. X, Sec. 2. In two cases in 1908 the association lifted the ban of expulsion, permitting each of two subordinate associations to admit an expelled engineer (Proceedings, 1908, pp. 57, 59).

[2] Constitution, 1909, Art. XXXV, Sec. 3.

[3] General Statutes, 1905, Sec. 23.

CHAPTER VIII

REINSTATEMENT AND READMISSION

The ability of a union to accomplish its aims is obviously dependent on the strength of its membership. Ordinarily it desires, therefore, to admit and to retain a maximum number of members. Requirements for the reinstatement and readmission of former members are, however, essentially different from those governing original admission in that they do not prescribe personal qualifications, but instead require the applicant to adjust the matters which resulted either in withdrawal, suspension, or expulsion. Little difficulty has been experienced in regulating the reinstatement of withdrawn journeymen resuming work at a trade. The questions relating to the reinstatement or readmission of suspended and expelled workmen have been more prominent. The chief difficulty here lies in the fact that to restore on easy terms such workmen to their former standing tends to impair the effectiveness of the union's disciplinary regulations.

(1) *Members who have withdrawn.*—As has been indicated in the preceding chapter, a workman who chooses or who is required to sever active membership by securing a withdrawal card retains a claim to reinstatement on favorable terms whenever he returns to the trade. Normally, the presentation of a card in good faith to the issuing local union automatically restores a workman to full membership without charge. It has, however, become necessary for the national unions to place some restriction on the privilege of reinstatement, in order to prevent its misuse. Thus a withdrawn workman returning to a trade within a specified time may be charged with back dues, and may be held responsible for any violation of union rules and principles during the term of withdrawal. The Molders' International Union,

after providing in 1872 for issuing honorary cards, found that members frequently withdrew to avoid payment of dues, and after dull seasons redeposited their cards. In 1876 there was accordingly adopted a rule fixing a period of six months within which a retired workman could not become again an active member free of charge. If he returned to the trade during that time, all accruing dues and assessments must be paid at reinstatement.[1] Since 1891 the Journeymen Stone Cutters' Association has required the payment of back dues and demands for any reinstatement within twelve months after leaving the trade.[2] Similarly the Shingle Weavers' International Union has adopted a six months' limit.[3]

A withdrawn member is responsible for his anti-union conduct. The unions ordinarily provide that a withdrawal card held by a member who works against the union is thereby annulled. The record of a withdrawn workman is investigated when he applies for reinstatement, and for notorious offenses he may be excluded, or may be fined and required to pay an increased fee.[4] Thus the executive board of the United Association of Journeymen Plumbers in 1903 approved the action of the local union in Tampa, Florida, in refusing to accept a withdrawn member, but advised that a fine of $100 might properly be imposed.[5] The Potters,[6] the Glass Bottle Blowers,[7] and the Flint Glass Workers[8] require that a committee shall investigate and report on the record of a withdrawn workman desiring again to become a member before he may be received into the union. The regulation of the Boot and Shoe Workers

[1] The International Journal, October, 1873, pp. 135–136; March, 1875, p. 280.
[2] Proceedings, 1891, p. 2, in Monthly Circular, August, 1891.
[3] Proceedings, 1906, pp. 6, 17.
[4] Twenty-Sixth Annual Report of President, Bricklayers' and Masons' International Union, 1891, pp. 58–60.
[5] Plumbers, Gas and Steam Fitters' Official Journal, November, 1903, p. 4.
[6] Constitution, 1892, Art. XII, Sec. 5; Rules and Regulations, 1910, Sec. 150.
[7] Constitution, 1910, Art. VI, Sec. 31.
[8] Constitution, 1910, Art. XXII, Sec. 9.

is typical: "Such withdrawal card shall reinstate the member in lieu of an initiation fee . . . whenever the member resumes work at the trade, provided withdrawal cards obtained by false representation, or held by persons who have worked against the interests of the union or who have failed to deposit such cards while working at the trade, shall be null and void."[1] The Musicians impose a special reinstatement fee of $25 on any applicant who has accepted employment at the trade after resigning from membership.[2]

(2) *Suspended Members.*—Provisions for the reinstatement of suspended members contain necessarily an element of punishment, and such provisions must be rigidly enforced in order to render effective the disciplinary value of suspension. On the other hand, the imposition of severe conditions often deters past offenders from making any effort to regain standing. A union in prescribing terms of reinstatement has, therefore, to balance the desire to recruit its membership against the advantage accruing from a rigid enforcement of its disciplinary rules.

A workman deprived of the privileges of membership on account of arrearage in dues or for other violation of union rules may reinstate himself in the local union which suspended him only by the discharge of indebtedness, and by the payment of a fine or a fee. Local regulation of the terms of reinstatement for suspended members was early superseded by specific requirements prescribed by the national union in order to secure uniformity. Thus the Cigar Makers' International Union provided in 1865 that a cigar maker might be reinstated in the suspending local union only after paying an amount to be fixed by local union rules.[3] Varying terms of reinstatement in different localities and the frequent suspension of members weakened the strength of the union and caused wide-spread dissatisfaction. Since 1879 the national union has accordingly im-

[1] Constitution, 1909, Sec. 93.
[2] Constitution, 1907, Art. V, Sec. 11; Proceedings, 1903, p. 49.
[3] Constitution for Local Unions, 1865, Art. III, Sec. 2; Proceedings, 1865, p. 61.

posed a uniform reinstatement fee.[1] In 1874 the Iron Molders required that a suspended member should be reinstated by vote of the suspending union after the indebtedness due at suspension was paid.[2] Since 1899 the Boot and Shoe Workers have demanded that the applicant must reduce the indebtedness due at suspension and pay a special fee in addition.[3]

The Paper Mill Workers require that arrearages, a special fee, and an extra fine shall be paid.[4] A few unions, such as the Steam Fitters,[5] the United Garment Workers,[6] the Retail Clerks,[7] and the Granite Cutters,[8] require, besides the discharge of former indebtedness, the payment of any dues, fines, and assessments which have accumulated during the term of suspension. Indebtedness, dues, fines, or fees having been paid, reinstatement takes place usually without formal action of a local union.

A suspended member, like a withdrawn member, is responsible for anti-union conduct during the term of suspension. At reinstatement the record of the applicant may be investigated and an increased fee or special fine imposed. The Boiler Makers and Iron Ship Builders thus provide that a workman in order to be reinstated must be proposed by a member in good standing, and after his record is investigated by a committee, he must receive a two-thirds vote of the local lodge.[9] The Flint Glass Workers' Union requires an investigation and a renewal of the initiation pledge before reinstatement.[10] The Molders' International

[1] Cigar Makers' Official Journal, July 10, 1879, p. 3; October, 1880, p. 2; Constitution, 1879, Art. XVII, Sec. 5.
[2] Constitution, 1876, p. 33. In 1895 it was provided that a vote should not be necessary to reinstate a member suspended for non-payment of dues, but that by settlement with the union such member was automatically reinstated (Constitution, 1895, Art. XIII, Sec. 9).
[3] Constitution, 1899, Sec. 100; Proceedings, 1909, p. 20.
[4] General Laws, 1906, Sec. 26.
[5] Constitution, 1906, Sec. 101.
[6] Constitution, 1900, Art. XX, Sec. 5.
[7] Constitution, 1909, Sec. 30.
[8] Constitution, 1905, Sec. 68; Constitution, 1909, Sec. 66.
[9] Constitution, Subordinate Lodge, 1910, Art. XV, Sec. 7.
[10] Constitution of Local Unions, 1910, Art. XI, Sec. 2.

Union holds suspended members liable to trial and punishment; if application be made for reinstatement, a special fine must be paid in case of "unbecoming conduct."

Ordinarily a reinstated member is denied the right to receive friendly benefits for a certain period. This denial constitutes a part of the punishment of suspension. The period after reinstatement during which financial benefits are withheld varies from three months, as required by the United Brotherhood of Carpenters[1] and the Plumbers' United Association,[2] to twelve months, as required by the Molders[3] and the Boot and Shoe Workers' Union.[4] The Operative Potters grant the minimum death benefit to suspended members only after six months of continuous good standing.[5] The Retail Clerks,[6] the Switchmen,[7] the Molders,[8] and the Glass Bottle Blowers[9] entirely exclude sick and disabled suspended members who seek reinstatement in order to acquire a claim to financial benefits.

A more difficult problem has arisen in dealing with suspended members who apply for reinstatement in a local union other than that from which they were suspended. At a very early date the national organizations of the Printers, the Molders, and the Cigar Makers denied any suspended member reinstatement in another union unless the suspending local union should consent. The purpose of the regulation was to secure unity of action and to render effective the penalty of suspension among the different local unions. The principle generally adopted by the national unions is laid down by the Electrical Workers' International Brotherhood as follows: "Any person who has been suspended from any local union, or who is in arrears to any local union, shall not be eligible to membership in any other

[1] Constitution, 1909, Secs. 106, 111.
[2] Constitution, 1908, Sec. 64.
[3] Constitution, 1907, Art. XVII, Secs. 7, 73.
[4] Constitution, 1909, Sec. 96.
[5] Rules and Regulations, 1910, Sec. 85.
[6] Constitution, 1909, Sec. 30.
[7] Constitution, 1909, Sec. 241a.
[8] Iron Molders' Journal, July, 1875, p. 509.
[9] Constitution and By-Laws, Appendix, 1910, Sec. 10.

local union, except by the consent of the local union of which he was a member."[1]

Difficulty is experienced in the working of such rules. In a time of strike, or when an effort is being made to unionize a shop, it may become desirable to reinstate members without the delay incident to a settlement of differences with a union in another locality. The suspending local union, moreover, may refuse its consent. Thus in 1891 the executive board of the Carpenters' and Joiners' United Brotherhood in a decision upheld the right of Local Union No. 165 of Pittsburgh to refuse its consent to the reinstatement of one of its suspended members in the local union of Greensburg, Pennsylvania.[2] A refusal of consent may not seem to be warranted, and a local union may therefore desire to reinstate the suspended member of another union without its approval.

The rule has been modified in some cases. Thus, since 1892, the Bricklayers and Masons have provided that a member who has been suspended solely for non-payment of dues may join again without the consent of the former union.[3] In 1895 the Molders excepted members suspended for indebtedness from the rule of consent.[4] In 1903 the executive board of the Brotherhood of Painters, Decorators and Paperhangers held that, although the constitution required the securing of the consent, the rule should not be so enforced as to exclude workmen who were suspended for arrearages, and against whom reasonable objection was not raised.[5] Ordinarily the unions have, however, insisted that the suspending local union must consent to the reinstatement, whether the applicant was suspended for arrearages

[1] Constitution, 1901, Art. VI, Sec. 4.
[2] The Carpenter, February, 1891, p. 4.
[3] Annual Report of President, 1892, p. 57; Constitution, 1908, Art. XVI, Secs. 1, 2.
[4] Constitution, 1895, Art. XIII, Sec. 7; Iron Molders' Journal, August, 1899, p. 414.
[5] Official Journal of the Brotherhood of Painters, Decorators and Paperhangers, August, 1903, p. 518.

in dues or because of other offenses.[1] Proposed methods for obviating difficulties in the working of the rule will be noticed later when considering its application to the readmission of expelled unionists.

(3) *Expelled Workmen.*—Although an expelled member is liable to permanent exclusion from membership, the unions have usually permitted his readmission and prescribed the terms under which it may be gained. A local union may exercise its own discretion as to the readmission of its former members; the national union usually requires only that a readmission charge shall be made.[2] After a period of expulsion has elapsed and proof is presented of the willingness of the applicant to conform to union regulations he may be readmitted into the local union of which he was a member on the payment of a prescribed sum, a readmission fee, or a fine.[3] Normally, a readmitted member is entitled to the same standing in the union as if he were a new member. In some cases, however, for a specified time, he is denied the full privileges of holding office or receiving financial benefits.[4]

As in the reinstatement of suspended members, so in the readmission of the expelled, the problem of the national union has chiefly been the regulation of the readmission of

[1] Proceedings, Wood Carvers, 1903, p. 34; Brauer-Zeitung, September 30, 1905, p. 4; Proceedings, United Brotherhood of Carpenters and Joiners, 1906, p. 247; Proceedings, Plumbers, Gas and Steam Fitters, 1900, p. 40.

[2] Constitution of Subordinate Associations, Lithographers, 1901, Art. VI, Sec. 1; Constitution, Meat Cutters and Butcher Workmen, 1897, Art. VI, Sec. 3; Constitution, Plumbers, Gas and Steam Fitters, 1908, Sec. 66; Constitution of Subordinate Lodges, Machinists, 1909, Secs. 18, 23.

[3] In some cases application for readmission may be made only after a specified time. See below, pp. 160, 161; General Statutes, Railroad Telegraphers, 1905, Sec. 23.

[4] A typical example of restricted privileges of former members is shown by the following rule of the United Hatters: "Any member of this association who has committed a foul act and who may be reinstated after this date shall not be allowed to hold the position of foreman or superintendent of any factory under the jurisdiction of this association" (By-Laws, 1907, Art. XXIV, Sec. 8). The International Molders' Union withholds for a year after readmission the right of the member to hold office or to receive sick, death, and disability benefits (Constitution, 1907, Art. XIII, Sec. 12).

former members applying for membership in a local union other than the one from which they were expelled. An important advantage originally impelling independent local associations of workmen to unite in national trade organizations was undoubtedly the possibility of effecting a plan whereby offending journeymen might be known and excluded from the trade by all the unions. One method for accomplishing this result was the practice by some early unions of sending the names of expelled members to unions in other localities in the expectation that these workmen would not be admitted to membership.[1] In 1860 the National Typographical Union adopted the rule that a local union before admitting an applicant must secure the consent of the local union from whose jurisdiction he came.[2] In 1867 the Grand Forge of United Sons of Vulcan threatened to revoke the charter of a subordinate lodge for admitting a former member of another lodge.[3] After this time it became the rule of national unions in the various trades that an expelled member must be restored to membership in the expelling union before he may be admitted into any other local union.[4]

The unions have been frequently called upon to decide disputes between local unions growing out of the application of the rule. The officials in their decisions have adhered consistently to the principle of national exclusion. Thus

[1] The Hand-Loom Carpet Weavers of New York City in 1846 provided in their constitution for transmitting to all other factories the names of any members violating the rules (Weekly Tribune, New York, September 12, 1846. Reprinted in Commons, Vol. VIII, p. 242). See Convention Proceedings, Cigar Makers, 1867, p. 167: "Resolved that local unions be directed to place the names of . . . and . . . on their blacklist, and that said persons cannot be received into membership in any local unions under our jurisdiction." See also Proceedings, National Typographical Union, 1858, p. 27.

[2] Proceedings, 1860, p. 34.

[3] Proceedings, 1867, p. 15.

[4] Proceedings, Bricklayers and Masons, 1872, p. 31; International Journal, June, 1873, p. 22; Constitution, Iron Molders, 1876, p. 33; Constitution, Iron and Steel Workers, 1876, Art. X, Sec. 9; Constitution, Flint Glass Workers, 1880–1881, Art. XII, Sec. 6; Constitution, United Brotherhood of Carpenters and Joiners, 1886, Art. VI, Sec. 4.

the Bricklayers' and Masons' International Union at the session of 1886 ordered the local union of Newark, New Jersey, to remove from its membership a workman who had been expelled from the local union of Brooklyn, New York.[1] In 1899 the Cigar Makers' International Union upheld the rule by threatening to revoke the charter of a local union for admitting expelled members of another union.[2] Similarly, in 1906, the executive board of the Painters, Decorators and Paperhangers' Brotherhood reversed the action of the Seattle local union in admitting a former member of the San Francisco local union without its consent.[3] It was, however, difficult to prevent a local union from initiating expelled, as well as suspended, members when the immediate interest of the local union demanded it, without regard to the past record of the applicants and without delaying to adjust differences with the union from which they came.[4] When a new local union is being organized or an effort is being made to recruit the membership of a weak union, it is particularly desirable to admit all workmen employed in a locality without holding the former members of other unions to account for past offenses.

These difficulties have been partly obviated by the development in certain national unions of the power (*a*) to grant an "amnesty," and (*b*) to approve or control the readmission of any expelled workman. In 1867 the president of the Iron Molders' International Union, during a campaign to build up the union, was empowered for six months to extend "a general pardon to all members expelled or suspended," and to readmit them for the payment of half the

[1] Proceedings, 1886, pp. 63, 89. See also for other examples in this union, Proceedings, 1887, pp. 42–43; and Report of President, 1890, p. lxvii.

[2] Cigar Makers' Official Journal, July, 1899, pp. 1, 2.

[3] Official Journal of the Brotherhood of Painters, Decorators and Paperhangers, August, 1906, p. 519.

[4] Other instances of the enforcement of the rule of consent by national unions may be cited: Proceedings, Plumbers, Gas and Steam Fitters, 1900, p. 40; The Bakers' Journal and Deutsch-Amerikanische Bäcker Zeitung, March 16, 1901, p. 3; July 6, 1901, p. 1; July 27, 1901, p. 1; Proceedings, Lithographers, 1901, pp. 82, 83; International Steam Engineer, November, 1907, p. 401.

sum due the respective local unions.[1] In the same year the Cigar Makers' International Union recommended to the local union the propriety of pardoning former offenders.[2] In 1868 the typographical unions proclaimed an "amnesty" by which for three months expelled printers were to be admitted on application to any union within whose jurisdiction they were working, without being subject to any "fines, pains, or penalties." Each local union was required to elect "such applicant without regard to his past record."[3] In 1876 and in 1895 the Iron Molders resorted again to a general "amnesty."[4] In 1882 the Amalgamated Association of Iron and Steel Workers adopted a rule permitting the subordinate lodges to "whitewash" any former member.[5] In 1909 the Journeymen Stone Cutters' Association opened all its branch unions for the free admission of any stone cutter as if he were a new member, "the past to be considered as entirely obliterated."[6]

While the national unions possess this power, it has been only infrequently exercised. Some unions, however, make a provision for permitting any local union to grant a general "amnesty" whenever in the opinion of national officials such a course is deemed desirable. It has been used chiefly with a view to recruiting membership, gaining a strike, or unionizing a shop. Thus since 1889 the executive board of the United Brotherhood of Carpenters and Joiners has in extraordinary cases granted to weak local unions whose membership needs encouragement a dispensation to deal leniently with offenders.[7] Since 1890 the executive council of the International Typographical Union has had

[1] Proceedings, 1867, pp. 21, 51.
[2] Proceedings, 1867, p. 137.
[3] Proceedings, 1868, p. 35; Proceedings, 1869, p. 9.
[4] Iron Molders' Journal, August 10, 1876, p. 3; Proceedings, 1895, p. 68.
[5] Proceedings, 1882, p. 975.
[6] Stone Cutters' Journal, September, 1909, p. 4. The action of the union was declared to be "an extraordinary measure under extraordinary circumstances."
[7] The Carpenter, November, 1891, p. 2; Circular, December 28, 1889; Proceedings, 1892, p. 31; Constitution, 1899, p. 37.

the power to declare an "amnesty" for expelled printers working within the jurisdiction of a local union.[1] Similarly, local unions of the Bricklayers' and Masons' International Union are permitted under certain circumstances to receive into membership all journeymen who may apply.[2] The Shingle Weavers' International Union[3] and the International Association of Machinists[4] likewise will upon request permit any local union to admit on easy terms all former members. Under provisions of this character, when a local union is endeavoring to recruit its membership or to unionize a shop or to avoid a strike, it may secure an "amnesty" with the assent of the national union. Any workman may then be admitted to membership without obtaining the consent of the expelling union. The result is that the national exclusion of the expelled need be carried only up to the point where in the opinion of national union officials it would be a disadvantage.

Ordinarily the readmission of an expelled workman is controlled by the action of a local union, and the national union intervenes only in cases in which an expelling local union has disputed the authority of another union to admit the applicant. On account of the difficulty and delay involved in enforcing the consent rule and of the varying policies of local unions, a few unions have assumed practical control of readmission. Thus since 1884 the Flint Glass Workers' Union has readmitted former members only by a majority vote of all the local unions, or of the entire membership.[5] In 1886 the International Union of Bakers and Confectionery Workers first required that readmission should be gained only by the action of a session of the International Union.[6] The session of 1890 at the request of a local union voted to readmit an expelled workman. In

[1] Proceedings, 1890, p. 128.
[2] Semi-Annual Report of Secretary, June 3, 1896, p. 3.
[3] General Laws, 1904, Sec. 23.
[4] Subordinate Lodge Constitution, 1909, Art. IV, Sec. 21.
[5] Constitution, 1884, Art. XII, Sec. 7; Constitution, 1895, Art. XI, Sec. 9; Constitution, 1910, Art. XXIII, Sec. 4.
[6] By-Laws, 1886, Art. XIV, Sec. 4.

1901 the executive board readmitted a former member at the urgent recommendation of the expelling union.[1] Since 1899 the Boot and Shoe Workers' Union has enforced this method of readmission. Thus in 1906 the executive board consented to remove the ban of expulsion from eight former members of Local Union No. 133 of Chicago, at the request of the latter.[2] Other unions which require the consent of national officers for readmitting expelled workmen include the Machine Printers,[3] the Marine Engineers,[4] the Plumbers,[5] the United Hatters,[6] the Painters,[7] the Lace Operatives,[8] the Photo-Engravers,[9] the Musicians,[10] the Print Cutters,[11] the Switchmen,[12] the Structural Iron Workers,[13] the Marble Workers,[14] and the Locomotive Engineers.[15]

This method of readmitting applicants is designed to render effective the disciplinary force of expulsion and to prevent injustice to expelled workmen reapplying for membership. In some cases the requirement of the consent of a national officer appears designed to make readmission difficult and uncertain. Thus the Locomotive Engineers pro-

[1] The Bakers' Journal, November 22, 1890, p. 2; The Bakers' Journal and Deutsch-Americanische Bäcker Zeitung, February 16, 1901, p. 1.

[2] Constitution, 1899, Sec. 102; The Union Boot and Shoe Worker, January, 1906, p. 33.

[3] Rules, Regulations and By-Laws, 1886, Art. V, Sec. 4; Rules, Regulations and By-Laws, 1903, Art. V, Sec. 4.

[4] Decisions (Doc. 83, 1894), in Constitution, 1904 (Revised), p. 27; Proceedings, 1904, p. 142.

[5] Constitution, 1898, Art. X, Sec. 4. In 1905 the executive board of the Journeymen Plumbers' United Association, at the request of Local Union No. 230, of San Diego, Cal., assented to the readmission of a workman who had been expelled and fined but who desired to "square up with the local and be good" (Plumbers, Gas and Steam Fitters' Official Journal, July, 1905, p. 5).

[6] Journal of the United Hatters, August 1, 1899, p. 2.

[7] Official Journal of the Brotherhood of Painters, Decorators and Paperhangers, February, 1903, p. 87; Constitution, 1910, Sec. 147.

[8] By-Laws, 1905, Art. VI, Sec. 2.

[9] General Laws, 1907, Sec. 5; Proceedings, 1908, p. 5.

[10] Constitution, 1907, Art. V, Sec. 11; The International Musician, February, 1908, p. 1.

[11] Proceedings, 1908, pp. 11–12.

[12] Subordinate Lodge Constitution, 1909, Sec. 253.

[13] Constitution, 1910, Sec. 96.

[14] Proceedings, 1910, pp. 158, 159, 178, 179.

[15] Constitution and Statutes, p. 38.

vide that "any person who shall have been expelled the third time shall never again become a member except by a dispensation from the Grand Chief and the recommendation of the nearest subdivision to where he is located." On the other hand, a local union through personal feeling may unjustly make the terms for readmission unwarrantably difficult. Control by national authority enables the applicant to obtain an impartial consideration of his claims to favorable terms.[1]

[1] The Amalgamated Association of Iron and Steel Workers since 1887 have thus provided for readmission by national officers in cases where the subordinate lodge refuses to grant a membership card or makes the terms exorbitant (Constitution, 1887, Art. XIII, Sec. 5; Constitution, 1909, Art. XXXV, Sec. 3). Since 1888 the president of the Iron Molders' Union has been empowered at his discretion to settle with former members in localities where no union exists and to reorganize unions (Proceedings, 1888, p. 110; Constitution, 1907, Standing Resolution No. 5, p. 47).

CONCLUSION

In previous chapters attention has been directed to the interpretation and enforcement of various requirements for admission. It remains to consider to what extent the existing union regulations of admission are economically and socially justifiable. For this purpose regulations affecting admission may be conveniently treated in their relation (1) to the prosperity of the trade, (2) to the welfare of workmen denied membership, and (3) to the effects upon the unions themselves.

(1) *Admission regulations and trade prosperity.*—Opponents and advocates of unionism generally agree that trade organization for the purpose of maintaining wages through collective bargaining is a benefit to organized workmen and to society. Union methods of achieving the aims of organization, however, have frequently aroused dissent. Alleged monopolistic restriction of the number of workers in the trades by apprenticeship rules and arbitrary standards for entrance to the unions has in particular been attacked. It is charged that the absolute limitation upon the number of apprentices who may be employed in one establishment, or their restriction in proportion to the number of journeymen, is made without regard to economic conditions and "hinders the development of trade," keeping the supply of journeymen only at its present level, and thus failing to provide for the additional journeymen who are required for trade expansion.[1] Moreover, the proportion so often found of one apprentice to ten journeymen is asserted to be insufficient even to maintain the trade at its existing level, as no allowance is made for those who do not become journeymen, or

[1] H. C. Hunter, Commissioner of New York Metal Trades Association, "The Open Shop," in The Bricklayer and Mason, November, 1903, p. 3; Drage, Trade Unions, pp. 163–164.

who afterwards change to other trades.[1] Under such conditions, it is argued, the effect of apprentice regulations must be actually to diminish the number of efficient workmen in the trade,[2] and thus to restrict the production of wealth.[3] In addition the apprentice restriction tends to limit unfairly the opportunity of boys to enter a skilled trade and to secure remunerative employment.[4]

Another complaint against trade unionism in this connection is that arbitrary requirements for admission exclude qualified workers as well as unqualified, and that in such cases union employers are limited to a definitely fixed supply and are unable to obtain additional workmen when business expands.[5] It must be recognized, however, that restricting the number of unionists by "closing" the union does not necessarily affect the prosperity of the trade under union control unless the union also demands and enforces the exclusive employment of its members under the closed-shop rule.[6] In such cases the union is likely to be viewed with suspicion on the ground of "attempted monopoly;"[7] it is

[1] Atkinson, "Trusts and Trade Unions," in Political Science Quarterly, June, 1904, p. 217. See also an article by Sanger, "The Fair Number of Apprentices in a Trade," in Economic Journal, December, 1895, p. 616. After a calculation on actuarial grounds, Mr. Sanger believes that a ratio of nine journeymen to one apprentice would be reasonable only on the supposition, which is less likely to be true in America than in England, that the trade is stationary.

[2] Drage, p. 164.

[3] Robert Schalkenbach, chairman executive committee of the American Liberty and Property Association, in New York Sun, November 28, 1911.

[4] Monthly Circular [Stone Cutters], December, 1891, p. 15.

[5] Henry White, general secretary of the United Garment Workers, in an article on "The Solution of Industrial Problems through Associated Action," in The Bricklayer and Mason, November, 1903, p. 7, said, "When unions combine with employers to mulct the public and seek by charging exorbitant initiation fees and . . . unduly restricting apprentices to keep out of a trade the number of artisans required . . . they are exceeding their limits, perverting their power and doing what they condemn others for doing."

[6] Stockton, "The Closed Shop in American Trade Unions," in Johns Hopkins University Studies in Historical and Political Science, Ser. XXIX, No. 3, pp. 168–169.

[7] Statement of T. F. Woodlock, editor of the Wall Street Journal, quoted in The Bricklayer and Mason, November, 1903, p. 2.

then in restraint of both production and trade, and is a menace to prosperity.[1]

In reply to these criticisms unionists disclaim any restriction beyond that which has regard for the needs of a trade. The arguments advanced for limiting the number of apprentices proceed on the assumption that by such limitation the unions secure an all-round training in the trade for the apprentice, prevent the employer from substituting cheap labor under the guise of apprenticeship, and adjust the supply of labor to the demand at the union level of wages. It is also flatly denied that a union attempts to establish a monopoly so long as it "opens wide its doors" to additional members.[2]

In explanation of these apparently conflicting assertions it may be said that opponents of apprentice regulations have in mind extreme cases of limitation, while unionists regard some limitation as actually defensible. The advocates of restriction of numbers take the ground that "to the trade unionist the apprentice question is the wage question," and that in the interest of the learners themselves absolutely free entrance to a trade is not desirable.[3] The worker spends time in obtaining the necessary skill, and should be reasonably assured that when he becomes a journeyman he will be able to make a living in a trade without a declining wage rate. Moreover, it is pointed out that unions which have a controlling voice in determining the number of apprentices—namely, unions in the glass trades, potteries, iron molding, and building trades—do take into consideration

[1] Seligman, "The Closed Shop," in The Labor Compendium, August 14, 1904, p. 1. Professor J. R. Commons, in a paper read before the American Economic Association, said, "Much can be said for a closed shop if the union is open, but a closed shop with a closed union cannot be defended" (Proceedings, American Economic Association, 1905, p. 145).

[2] E. A. Moffett affirms: "The union shop . . . is not a monopoly. Castle Garden proves it. . . . It is not a closed shop. It is wide open to any workingman who is willing to help maintain the superior conditions which attract him" (Editorial, in The Bricklayer and Mason, November, 1903, p. 5).

[3] Hayes, "Trade Unions and Apprentices," in Retail Clerks' Advocate, April, 1903, p. 3.

the need of the trades for workmen in that apprenticeship regulations are agreed upon usually in conferences between employers and employees.[1] This form of joint agreement is found in an increasing number of cases.[2]

There are undoubtedly some unions which have unduly restricted the number of apprentices and apparently disregarded the needs of the trade for workers.[3] On the other hand, employers have agreed apparently with readiness to union proposals that for a stated period additional apprentices shall not be admitted,[4] while there are also instances in which employers are unwilling to take on as many apprentices as the union ratio permits.[5] In further refutation of the charge of attempted monopoly, unionists assert that the trade unions did not invent the system of apprenticeship, and that in most trades under the influence of modern industrial changes the system is giving place to other forms of training.[6] If reference be made to a preceding chapter,[7] it will

[1] Hayes, p. 4. See also the Eleventh Special Report of the Commissioner of Labor, 1904, p. 22; Proceedings, Glass Bottle Blowers, 1909, pp. 35, 36.

[2] Motley, p. 106.

[3] For example, the president of the Window Glass Workers' Local Assembly No. 300 reported as follows: "While we should guard well the apprentice laws we should allow enough to learn to keep the places filled or have enough men to supply the demand, which we have not had in the last two years, as every preceptory is well aware" (Proceedings, 1886, pp. 11–12). See also Proceedings, 1889, pp. 21–22.

Similarly, in 1907 the president of the Glass Bottle Blowers' Association reported that the association had been unable to supply the employers with blowers, and said, "Demands for workmen became so frequent and emphatic that something had to be done toward filling places, or else furnish the manufacturers with an unanswerable argument for more apprentices." To meet the demand a loan of apprentices on the next season's quota of journeymen was authorized (Proceedings, 1907, pp. 49–149).

In 1906 the international secretaries of the United Brewery Workmen reported as follows: "We are filling the demand for practical brewers with less than one-tenth of the demand. Many local unions will not tolerate any apprentices whatever in the breweries" (Proceedings, 1906, p. 103).

[4] Proceedings, Glass Bottle Blowers, 1909, pp. 35, 203. See also Proceedings, Operative Potters, 1902, p. 63; Proceedings, 1909, pp. 46, 47; Motley, p. 92.

[5] Mitchell, Organized Labor, p. 62.

[6] Ibid., pp. 260, 263.

[7] See p. 39 et seq.

be noted that but a very small number of unions are able effectively to control the regulation of apprenticeship. In many trades the regulations are disregarded, or are enforced in only a portion of the trade, while journeymen in some cases are allowed to teach their own sons without restriction. In the cases in which the ratio enforced is apparently below the needs of a trade for workmen, allowance must be made for the fact that skilled immigrant workmen and apprentices may enter the trades through non-union establishments. In the unions which do attempt regulation the restriction below the need of the trades is probably inconsiderable.[1]

In so far as apprenticeship regulations have for their object the thorough technical education of the workmen they must be regarded as purely beneficial to a trade. Unionists have continuously avowed this object to be of equal importance with the other purpose of limiting numbers.[2] Representatives of both employer and employed support the apprenticeship system on this ground.[3]

The legal right of any voluntary association to restrict its membership by any criterion whatsoever is well established.[4]

[1] Mitchell cites the result of an investigation by Mr. and Mrs. Webb, which revealed that the British trade unions actually and effectively restricting the admission of apprentices below the need of trades for workmen represented less than one per cent. of all unionists in England. He considers that the percentage in the United States is probably smaller (p. 262).

[2] Proceedings, Iron Molders, 1867, p. 14. President Fox of the Iron Molders' Union in 1895 said: "To limit the number learning the trade should not be so much our aim as to control them in such a manner as to compel the employer to make a mechanic out of his apprentice, and in this every member ought to assist that he may become proficient. . . . There would be less cause to complain of incompetency" (Proceedings, 1895, pp. 19–20).

President Hayes of the Glass Bottle Blowers' Association reported: "The number of general workmen in our association has yearly grown less, and at the present rate of decrease we will soon have an association of specialists. This is not wise. It should be obligatory for apprentices when indentured to be taught a knowledge of the glass trade beyond merely making one kind of ware" (Proceedings, 1899, p. 21). See also The Potter's Herald, May 25, 1905, p. 4.

[3] Drage, p. 145.

[4] Probably the first case in which the question was passed upon by a high court of appeal was that of Mayer v. Journeymen Stone Cutters' Association, in which the New Jersey court of chancery

Union admission regulations for the purpose of arbitrarily monopolizing employment are of infrequent occurrence. At times local unions within certain trades have exhibited a disposition to "gain an advantage for the insiders over the outsiders."[1] Unionists defend the imposition of special high initiation fees to a limited extent.[2] Under the leadership of national officers and in consequence of a tendency toward increasing national control of admission, as pointed out in a preceding chapter,[3] local exclusiveness is increasingly discountenanced. Although high and prohibitive fees for foreigners are justified by unionists as necessary to prevent a lowering of the living wage, they are of questionable validity in so far as they debar well-qualified immigrant workmen from any trade. Certain unions also attempt specifically to exclude specialized workmen, women, immigrants, and negroes from membership with a view to debarring them from the trades. We have, however, seen that the great majority of unions have gradually adopted a policy of inclusion relative to the admission of these classes.

Monopolistic motives have usually been attributed to unions which impose restrictive requirements for admission and at the same time attempt the enforcement of union membership through the closed-shop policy. The objections to

held that a trade union may make membership "as exclusive as it sees fit; it may make the restriction on the line of citizenship, nationality, age, creed, or profession, as well as numbers" (47 N. J. Eq. Rep. 519). See also Pickett v. Walsh, 1902 Mass. 585.

[1] 47 N. J. Eq. Rep. 519; Report of Industrial Commission, Vol. XVII, 1902, p. 817. The New York Journeymen Stone Cutters' Association closed the union in 1901. A special edition of the Stone Cutters' journal, July 15, 1901, was published containing protests from various other local associations throughout the country. The editor and secretary of the national association said: "New York closed her books through no other feeling but greed and hoggishness; and because times are booming with them." See also Brauer-Zeitung, March 24, 1906, p. 4; The Bakers' Journal and Deutsch-Americanische Bäcker Zeitung, February 22, 1908, p. 2; Proceedings, Musicians, 1903, p. 95.

[2] "To a certain extent, it may be fair to capitalize the past sacrifices of members of the union and it may be necessary by reasonable high initiation fees to moderate a too rapid or too sudden rush into a trade" (Mitchell, p. 283).

[3] See p. 29 et seq.

the closed shop as a trade-union device would then apply to exclusive admission regulations. In such cases the workmen excluded from membership, the employers, and the public might be injured. But the closed shop is but partially enforced in the majority of trades, and that with difficulty.[1] On the other hand, a union like the Locomotive Engineers or the Locomotive Firemen may be monopolistic without demanding the exclusive employment of unionists under the closed-shop rule and without closing its doors to the admission of additional workmen merely by including within its membership practically all the workmen within the trade. A union with such control of workmen in a skilled trade would be enabled to dictate injuriously as to the conditions and conduct of the trade. The glass trades unions, the Operative Potters, the United Hatters, the Elevator Constructors, the Print Cutters, the Steel Plate Transferrers, the Stereotypers and Electrotypers, the Cutting Die and Cutter Makers, the Machine Printers and Color Mixers, the Lace Operatives, the Wood Carvers, and the Wire Weavers probably approach nearest to complete control of the workmen in their respective trades. A proposed method of dealing with unions of a monopolistic tendency will be noticed in the third part of the present discussion.

(2) *Admission regulations and the excluded workmen.*— The exclusion of incompetent workmen from union membership is claimed by the unions to be conducive to the interests of the union, the employer, and the workmen themselves. Unionists feel that the incompetent member "reflects discredit on the organization," and especially upon the initiating local union.[2] An incompetent workman is unable to render satisfactory service to his employer, and experiences the inconvenience of being shifted from one job to another and of frequently changing employers. On the other hand, when a qualified workman is denied admission and, under the closed-shop rule, even deprived of work, the action of

[1] Stockton, pp. 166, 167, 181.
[2] Iron Molders' Journal, January, 1895, p. 12.

the union is to be condemned on the ground of its interference with the right of every man to work. In such a case the excluded person may find employment only in non-union establishments. But if the union has virtual control of the trade, exclusion from membership means complete loss of opportunity to work. Instances in which the power of exclusion has been so exercised as to debar qualified workmen and to force them into less remunerative or less skilled employment are, however, comparatively rare. The possession of this power is liable to abuse, and the unions exercising it are under the necessity of justifying their actions in every case of exclusion.

Expulsion from membership through the regular enforcement of disciplinary regulations designed to promote the legitimate aims of unionism is essential to discipline, and is recognized in law.[1] Irregularities in disciplining members by suspension and expulsion and the resulting litigation in the courts have tended to make unions sensible of their responsibility in thus excluding members. Rules of procedure and courts of appeal within the union are now generally established. To the extent that national unions have control over local unions, debarred members have an opportunity to appeal and to secure impartial reconsideration of their claims to membership. It is incumbent upon unions to act generously toward offenders in order to retain their strength, and the unions generally make terms for adjusting differences with former members.[2]

(3) *Admission regulations and trade unionism.*—All trade unions make it a part of their practical program to obtain control of as large a proportion as possible of workmen in

[1] See, for example, Weiss et al. v. Musical Mutual Protective Union, 189 Pa. St. 446. In an opinion on a case of illegal expulsion the court of errors and appeals of New Jersey in 1906 held that the consent of the workmen to discipline was implied by mere membership in the union only "if carried out in good faith and without malice, through the methods prescribed by the laws of the association and in accordance with the principles of national justice" (Brennan v. United Hatters' Local Union No. 17, 73 N. J. L. 729).

[2] See above, p. 151 et seq.

the various trades.[1] A "cordial invitation" to join is ordinarily extended to non-unionists.[2] We have already noted that trade-union policy has for the most part been one of expediency with reference to new classes of workers entering a trade and applying for admission. Persons who may not have served a regular apprenticeship, workmen capable of earning the usual wages, women, immigrant workmen, and negroes have in turn been recognized by unions in the great majority of trades, apparently because of the necessity of self-protection, and in spite of frequent stubborn resistance within union ranks. It is obvious that the accomplishment of the fundamental object of trade unionism is dependent on the comprehensiveness of its membership. This fact compels the enforcement of open, liberal, and not unduly restrictive admission regulations. On the

[1] For example, the secretary of the Bricklayers' and Masons' International Union in 1898 reported that the union had only about one eighth of the workmen in the craft, and made the following plea: "This should not be so. They should be with us, and then we could be entire masters of the situation and dictate our terms and policy. . . . Every man outside of the organization stands as a menace to its prosperity. . . . We should adopt a more constructive method to keep and protect our members and go into the recruiting field for others" (Semi-Annual Report, June 30, 1898, pp. 3, 4). Again in 1906 the secretary made a similar recommendation: "We urge upon subordinate unions the necessity of making at least an effort to prevail upon those outside the pale of organization to join with us. Your executive board is at all times ready to join in this strengthening work. . . . We want them all with us" (Semi-Annual Report, June 30, 1906, p. 8).

In 1903 the president of the International Association of Machinists, in recommending an extension of its membership jurisdiction, said: "The miner claims jurisdiction over every man, woman and child employed in or about the mines. The printer makes the same claim in the printing office, and the molders have taken into membership the coremakers. The brewery workers claim control over all employees in or about the breweries. The steel workers insist that all those employed in the steel and iron industry shall be members, and so on, I might cite organization after organization. It is now up to the International Association of Machinists to take complete charge of the machine shop" (Report of President, in The Machinists' Monthly Journal, June, 1903, p. 484).

[2] Thus President Perkins of the Cigar Makers' International Union made this recommendation: "If you know of a cigar maker who is outside the pale of the union, speak kindly to him, show him by courteous treatment and fair argument the error of his course" (Editorial, Cigar Makers' Official Journal, March, 1894, p. 8).

other hand, trade-union leaders appreciate that the immediate aim of the unionist—to maintain the level of wages—may also be subserved by restricting the supply of labor within any trade and by regulating its distribution over different localities. Apprenticeship restrictions and the attempted exclusion of certain classes of workers from a trade rest on this basis. The trade-union position with reference to admission into a trade results consequently in a compromise between what the union can afford to do and what it would like to do. In order to maintain wages the union seeks to include all workmen within its trade, but it is interested with the same purpose in view in checking an undue increase in the available number of workmen.

The ultimate success and the larger interests of trade unionism, however, negative the possibility of successfully debarring workmen from union membership by arbitrary restrictions, for the presence in the market of non-unionist competitors "is fatal to the method of collective bargaining."[1] Apprenticeship and restrictive admission regulations must, therefore, yield in favor of a policy of inclusion, so long as other workers may be substituted by employers for unionists. If an employer is able to choose other workers than unionists at lower rates than unionists demand, the purpose of the trade union may be defeated. The ideal of trade unions, therefore, is to acquire complete control of the workers within each trade through liberal admission regulations in order to limit this freedom of the employer to turn from one to another worker.[2]

Since the avowed aim of trade unions is to embrace the entire limits of each trade and either by voluntary or compulsory unionization of industry to secure equal power with the employer in bargaining, some writers class every combination of workmen as a form of monopoly.[3] Opponents

[1] Webb, Industrial Democracy, p. 472.

[2] McNeill, "Trade Union Ideals," in Proceedings of the American Economic Association, 1902, p. 216; Commons, "Restrictions by Trade Unions," in The Outlook, October 27, 1906, p. 471.

[3] Bolen, Plain Facts as to the Trusts and the Tariff, p. 185; Eliot, The Conflict between Individualism and Collectivism in a Democracy, pp. 14, 16.

of union methods of action particularly assign monopolistic motives to trade-union policies. Unionists, however, deny that the trade union is in any sense a "labor monopoly" or "labor trust," inasmuch as it "opens wide its door to every man in the craft."[1] We have already seen that with the exception of isolated instances of local exclusiveness, trade unions in practice are and in ultimate aim must be inclusive in their admission policy. It is, therefore, inexact to allude to the typical trade union as a monopoly by reason of its restrictive admission regulations. A union which has control of practically all the workmen in a trade and admits or refuses to admit additional members is in a similar position to an industrial trust only in the bare idea of possible common control of the product. Even here the strongest union differs from a trust, among other fundamental particulars, in the important sense that it "neither produces nor in any direct way controls the production of labor itself."[2] In their efforts to regulate and distribute the supply of workmen, trade unions have never made it a part of their practical policy to influence the growth of population.

When a trade union by thorough organization obtains complete control of the workmen within its jurisdiction, its position may become dangerously powerful. Such a union would be enabled through the enforcement of the closed shop and prohibitive requirements for admission to restrict all freedom of labor and capital in the industry. The wisdom of entrusting such great power to unregulated private associations is questioned because of the liability of its abuse by short-sighted leaders.[3] It has accordingly been sug-

[1] Stone Cutters' Journal, May, 1906, p. 2. In a discussion upon the question of getting rid of helpers in the plumbing trade a delegate at the convention of the United Association of Plumbers in 1904 said: "You can call this organization by whatever name you please, but . . . it is nothing more than a labor trust. . . . We have to adopt the methods adopted by the modern trusts in the commercial world. The first thing that they do in order to increase their profits is to control the business" (Proceedings, 1904, p. 104).

[2] Macgregor, Industrial Combination, p. 178.

[3] White, p. 7; Seligman, p. 1; Bullock, "The Closed Shop," in Atlantic Monthly, October, 1904, pp. 437, 438.

gested that in the public interest the state might assume control along the entire line of trade-union policy,[1] as in Australasia,[2] and legally regulate admission rules so that union membership might remain reasonably open.[3] State regulation, however, is not likely to succeed private control until trade unions have attained more noteworthy proportions. Probably at no time have more than fifteen per cent. of the wage-earners of the United States been unionized;[4] and at present, as the great majority of trades are but partially organized, the unions are "open" organizations.

[1] Seager, Discussion on the Open or the Closed Shop, in Proceedings of the American Economic Association, 1905, pp. 214–215; Commons, "Restrictions by Trade Unions," in The Outlook, October 27, 1904, p. 471.

[2] Rossignol and Stewart, "Compulsory Arbitration in New Zealand," in Quarterly Journal of Economics, August, 1910, p. 664.

[3] Wise, The Commonwealth of Australia, p. 308.

[4] Hibbard, "The Necessity of an Open Shop," in Proceedings of American Economic Association, 1905, p. 183, quoting the New York Times.

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